

Course guide
Advanced Course in Public International Law
15 credits, Autumn 2023

This course guide has been adapted to the standard format at SU. Last updated in June 2023.

Please remember to check the course website regularly for updated information.

Welcome to the course!

1 Aim of the course

1.1 Content and purpose

Public international law is a complex and dynamic field of law, and an essential site through which we structure, think about and act upon the current global order. Indeed, as will become evident during the course, the international legal order is everywhere.

At the most general level, this course will take students step-by-step through the fundamental elements of the discipline of public international law. It will thus provide them with a detailed understanding of the norms, doctrines and institutions of the international legal order, giving them a relevant and rigorous language and set of techniques with which to analyse and assess global politics, global economics and global history through the lens of international law.

Importantly, just as the students will learn to bring international norms and institutions to bear on politics, economics and history, they will also be encouraged to reverse this relationship, bringing politics, economics and history to bear on international norms and institutions, in order to think more critically about the discipline and its effects. Is international law always merely a force for good, or might it be possible that it has at times contributed to the construction and sustenance of the very problems it is called upon to solve?

Finally, in order to equip students with the tools to apply the knowledge gained in the course critically and broadly, the course will pay attention to the question of how the doctrine, norms and institutions associated with the 'international' influence not only international relations but also our daily life.

1.1.1 Overarching aim of the course

The goal of the course is to provide students with the opportunity to gain deeper insight into the area of public international law.

1.1.2 General structure of the course

The course consists of twenty lectures, a problem-based seminar session, an essay (of

10-12 pages) and an end exam (open-book), all of which will strive to give students an understanding of the fundamentals and theoretical underpinnings of the international legal framework.

Throughout, the course will seek to offer a critical (albeit a sympathetic) exploration of the meaning of international norms and principles and of their potential as the basis for an ethical and legal order by illustrating the complex interplay between law and extra-legal factors.

Course examination is divided into a problem-based seminar session, an individual essay (of 10-12 pages) and a written end exam (open-book). Please see section 3 of this course guide.

1.1.3 Expectations

Knowledge and understanding

After completing the course, the student should be able to:

- demonstrate a sophisticated knowledge and understanding of the concepts, principles and rules of public international law, and
- demonstrate an awareness of their doctrinal and theoretical underpinnings.

Skills and abilities

After completing the course, the student should be able to:

- demonstrate a comprehensive knowledge and understanding of the application and interpretation of legal norms in the various fields of international law,
- demonstrate an intricate familiarity with the operations of the institutions of public international law,
- demonstrate an ability to identify, formulate and analyse international legal issues in a systematic, critical and independent fashion, and
- demonstrate an ability to express coherent and sophisticated ideas, arguments and conclusions in the English language.

Judgment and approach

After completing the course, the student should be able to:

- demonstrate a critical awareness of the significance of public international law within the global system.

1.2 Instruction

Teaching is carried out in the form of lectures with discussions. Students are expected to have read the relevant materials of the course ahead of each lecture, at least in a cursory manner. Student activity is important for the success of the course.

Different types of instructions are used for the purpose of enhancing different skills. The lectures should assist students to understand basic concepts and principles that underpin public international law. The problem-based seminar session will test the student's knowledge of the substance of public international law and its various procedures, but, more importantly, it should also enhance the student's ability to creatively use this knowledge. The essay should, in its turn, develop the student's ability to analyze the workings of public international law by connecting knowledge of the substance and procedure of international law with critical thinking. The written exam will test and develop the student's knowledge of the substantive and procedural rules involved as well as the ability to identify legal problems and apply the rules.

Slides used by the lecturer together with a short synopsis for each lecture will be posted on the course website.

Please note that while attendance at lectures is not mandatory, attendance is highly recommended, given that the end exam will be based on the lectures as well as on the (whole of the) course textbook and additional reading materials provided on the course website. Participation in the preparatory session for the problem-based seminar as well as the problem-based seminar session itself, however, are **mandatory**, as are all the written exercises.

2 Structure of the course

2.1 Structure of the course and alignment to expectations

The teaching and examination are aligned to the expectations (lärandemål) as listed in the curriculum (kursplan) and section 1.1.3 as follows:

- *Identify legal problems within various areas of public international law*
Teaching: the lectures will give an overview of public international law as well as some of the key legal problems in the area.
Examination: students will need to identify legal problems in public international law for their written assignment, for and during the problem-based seminar session and as they complete the written exam.

- Identify extra-legal factors that have contributed to the formation of international legal norms*

Teaching: The lectures will seek to illustrate the complex interplay between legal and extra-legal factors in the formation and in the functioning of public international law.

Examination: students are instructed to consider and discuss extra-legal factors as part of the assignments, which will test the student's ability to connect knowledge of the substance and procedure of international law with critical thinking.
- Apply international legal norms*

Teaching: The lectures will provide an overview of how substantive norms are applied in different contexts.

Examination: students will apply international legal norms and principles in the written assignment, the problem-based seminar session and the written end exam.
- Critically reflect on and analyze the role of public international law in context*

Teaching: Throughout the course, the lectures involve critical reflection on public international law.

Examination: students need to critically reflect on the role of public international law as part of their written assignment and when preparing for and taking part in the problem-based seminar session, and in completing the written end exam (problem-oriented questions).

2.2 Detailed structure of the course

The table below displays the structure of the course and the way in which the various lectures and exercises relate to one another. As the course schedule may be subject to change, please remember to check the course website regularly for any potential amendments.

For your convenience, the following table will also indicate the corresponding chapters in the course textbook. **Do note** however that you are to read the **whole book** for the exam. Additional readings will be indicated during the course and can be found on the course website. The website will also offer a summary for each lecture.

Lectures	Compulsory assignments & exam	Chapter in the textbook
<i>Settings of international law</i>		1
<i>Sources of international law</i>		4, 5
<i>Law of treaties I</i>		6
<i>Law of treaties II</i>		6
<i>Law of treaties II</i>		6
<i>Subjects of international law</i>		7
<i>Jurisdiction</i>		10
<i>International organizations law</i>		8
<i>Sovereign immunities</i>		11
<i>Diplomatic immunities</i>		12
<i>The law of responsibility I</i>		14
<i>The law of responsibility II</i>		14
<i>The law of responsibility III</i>		14
<i>Settlement of disputes: International Court of Justice</i>		18, 19
<i>Use of force I</i>		16, 17, 20
	preparatory session for the problem-based seminar	
<i>Use of force II</i>		16, 17, 20
<i>International humanitarian law</i>		27
<i>International criminal law</i>		24
	problem-based seminar session	
<i>Protecting the environment</i>		22
<i>Global economy</i>		23
	essay	
	exam	

2.3 Oral and written exercises

See below, section 3.

2.4 Mandatory components

Please note that while attendance at lectures is not mandatory, attendance is highly recommended, given that the end exam will be based on the lectures as well as on the (whole of the) course textbook plus additional reading materials provided on the course website. Participation in the **preparatory session for the problem-based seminar** as well as in the **problem-based seminar session** itself, however, is **mandatory**, as are all the written exercises.

2.5 International and comparative elements

All of the elements are international. There are elements of comparative law regarding various monitoring mechanisms, for example.

2.6 Interaction with the surrounding society

Throughout the course we will deal with not only “legal” but also political, social, cultural and economic issues.

2.7 Relation to other courses

This is, for the time being, one of the specialized and advanced courses offered to exchange students and Swedish students towards the end of the law programme. The course connects to previous courses in the law programme such as constitutional/public law (Statsrätt), EU law (Europarätt) and Public International Law (Folkrätt), and to other specialized and advanced courses such as International Criminal Law, International Law and the Global Economy, and Human Rights in a Global Perspective.

2.8 Course literature and source materials

- *International Law*, edited by Malcolm Evans, Oxford University Press, 5th edition, 2018, 976 pp.

- Additional texts for the course will be made available through the course website (these will be referred to as “Selected Documents”, abbreviation “SD”).

- The course website will also offer the slides and a synopsis for each lecture.

2.9 Optional readings

References to optional readings will be offered on the course website.

2.10 Preparations for lecture and seminar sessions

Teaching/learning in this course is partly carried out in the form of traditional lectures with discussions, partly pursuant to problem-based learning.

For the lectures, students are expected to have studied the relevant materials of the course ahead of each session, at least in a cursory manner. Any slides used by the lecturer will be posted on the course website, together with a summary for each lecture. For readings instructions, please see above, the table under section 2.2. Bear in mind, however, that you are to read the whole book for the exam.

In all the lectures, complex real-world problems will be used to promote students' critical understanding of the actual functioning of various concepts and principles of public international law. This does not merely mean analyzing cases that have already been adjudicated (whether in class or whether by writing a case study) but it also means that students will in the problem-based seminar be offered with an open-ended case that has specifically been created for them to deliberate, discuss and solve.

3 Requirements regarding participation in the course

3.1 Registration

A Swedish student who intends to participate in the course must be registered by the second day of the course at the latest.

Exchange students register on the course through their university account in Ladok at the beginning of their exchange, the week before the semester starts.

3.2 Re-registration

Re-registration on the course is done by the course administrator.

3.3 De-registration

If for some reason, a student does not intend to take the course, they **must de-register within three weeks after the start of the course** (known as "early withdrawal period"). This is done through the student's university account in

Ladok. This is of great importance to guarantee a place in a group the next time the student applies for the course. The early withdrawal period is calculated from the Monday of the week the course starts and three weeks ahead. The last day is always a Sunday.

Please note that de-registrations may have consequences for the right to receive student grants, including Erasmus grants. Please, contact CSN for more information if you are a Swedish student, or the Office of International Affairs if you are an international master student or an exchange student.

4 Assignments and examination

4.1 General

4.1.1 Examined moments

The course is examined through a problem-based seminar session, an individual essay (of 10-12 pages) and an open-book written exam.

The problem-based seminar will test the student's knowledge of the substance of public international law and its various procedures, as well as the student's ability to creatively use this knowledge. The essay will test the student's ability to connect knowledge of the substance and procedure of international law with critical thinking. The written exam will, in its turn, test the student's knowledge of the substantive and procedural rules involved as well as the ability to identify and critically analyze legal problems and apply the relevant rules.

4.1.2 Plagiarism

You may never use any source or copy from the internet or elsewhere without referencing in the main text, footnotes and/or in endnotes. We check all the writing assignments, including the individual essays, with anti-plagiarism software. Kindly note that any form of plagiarism immediately results in a formal complaint with the Stockholm University. If you are unsure about what is or is not permissible, do check with the teacher.

To plagiarize is to present content from someone else's work as your own by omitting information either on the authorship or on where the said content originated from. Do note that plagiarism refers not only to copying someone else's text in verbatim but also to presenting someone else's ideas and conclusions as your own. It can also cover materials other than mere text, such as pictures, figures and diagrams.

Scholarly work does of course to a large extent build on the work of others - there is nothing wrong in making intellectual progress by using the understanding gained by previous discoveries, as long as proper references are used. So, in order to avoid plagiarism, always remember to carefully indicate correct references to your sources.

4.2 Problem-based seminar

Please see the separate instructions posted on the course website.

4.3 Essay

Please see the separate instructions posted on the course website, also regarding forms of citation.

4.4 Written exam

4.4.1 Exam registration

Students must register for the written exam no later than 10 calendar days before the date of the exam. Registration for the exam requires registration on the course. Students who have not registered for the exam are not allowed to write the exam.

Swedish students receive a grade on the learning outcome-based four-grade grading scale AB-U. International master students and exchange students receive a grade on the learning outcome-based seven-grade grading scale A-F(x).

All students have the right to receive grades according to the grading scale A-F(x). Swedish students who wish to do so must report this to the course coordinator/teaching assistant at least five working days before the written exam.

Students with a documented disability who have been issued a certificate of extra pedagogical support from Stockholm University must report this to the course administrator/teaching assistant as soon as possible (see below, "studying with a disability").

4.4.2 Documents allowed at the exam

All students are required to show a valid ID on the day of exam. Driving licenses, passports and ID cards that are still in date are approved as identification. In case of stolen or lost ID, students may also prove their identity by providing a police report of no more than three months. Foreign ID documents are also accepted,

preferably passports and ID cards.

4.4.3 Permitted aids and other exam regulations

Students must be in the examination room at least 15 minutes before the exam is set to start.

At the exam, different examination options can be applied. Information about the different examination options and the rules that apply can be found on the Department of Law's website. The presence of unauthorized exam aids, notes and the like, as well as violations of exam regulations may lead to a notification to the university Disciplinary Committee. The Disciplinary Committee, led by the university president, can decide on a warning or a suspension.

In the Advanced Course in Public International Law the examination option Four is applied: "Option 4 - Everything is allowed, with the exception of electronic equipment intended for communication and/or with internet connection".

4.5 Grading criteria

4.5.1 Anonymity

Please note that grading is anonymous, as far as possible. Each student will receive a code, to be used on the essay and the end exam. Accordingly, kindly refrain from writing your name on any of the assignments.

4.5.2 Grading criteria for the essays

Essays will be evaluated mainly on the basis of the following criteria:

Grade	Criteria
AB (A)*	An excellently structured reasoning with a clear focus on the central aspects and with a high relevance in light of the questions posed; extensive reference to legal sources and the correct use of relevant facts; great ability to engage in abstract reasoning and to make an independent assessment of the problems, including critical reflection.
AB (B)*	A very well structured reasoning with a clear focus on the central aspects and with a high relevance in the light of the questions posed; reference to legal sources and the correct use of relevant facts; great ability to engage in abstract reasoning and to make an independent assessment of the problems, including critical reflection.
BA (C)*	A well structured reasoning with a focus on the central aspects and with relevance in the light of the questions posed; reference to legal sources and the correct use of relevant facts; ability to engage in abstract reasoning and to make independent and balanced assessment of the problems.

- BA (D)*** A structured and relevant reasoning which covers some of the central aspects in light of the questions posed; reference to legal sources and the correct use of relevant facts; signs of an ability to engage in abstract reasoning and to make an independent assessment of the problems.
- B (E)*** A transparent reasoning which observes some aspects that are central to the questions posed; some reference to legal sources and relevant facts; signs of an ability to make an independent assessment of the problems.
- Fx** A reasoning which observes aspects that are central to the questions posed but insufficient reference to legal sources and the relevant facts and/or no signs of an ability to make an independent assessment of the problems.
- F** A reproduction of disjointed facts with insufficient reasoning.

4.5.3 Maximum score for each examination component

The maximum score for each examination component is as follows:

Problem-based seminar session	pass/fail
Individual essay	40 pts
Written exam	60 pts
TOTAL	100 pts

Swedish grade:

AB= 74-100

Ba= 58-73,5

B= 50-57,5

ECTS-grade:

A= 80-100

B= 74-79,5

C= 67-73,5

D= 58-66,5

E= 50-57,5

FX=Fail

F= Fail

These limits may be revised, but only downwards. **A passing grade for the course is only attainable if a student receives at least 50% of the maximum score on each component.**

4.6 Request for grade review

Requests for grade reviews are submitted on a special form to the course administrator/teaching assistant. The request must be carefully supported and a copy of the assignment/exam must be attached.

5 Studying with Disability

5.1 General

Stockholm University offers various forms of extra pedagogical support for people with permanent disabilities. The support offered depends on the individual's situation and is intended to facilitate studies. The goal is for all students to have an opportunity to study on equal terms.

To take advantage of the support offered, students must submit an application to the university's Disability Services (part of the Student Services). To do this, they must log into the system NAIS via a link found on Student Services's web page (Stockholm University > Education > Studying with a disability > how to apply for support) and fill in the online form. To complete the application, a certificate confirming the disability must be attached.

When the application is received, the student will be contacted by the Student Services to book a personal meeting.

Once the student is granted support, they will need to contact their department's contact person and submit the certificate issued by the Student Services. The contact person at the Department of Law for Swedish students is Viktoria Pettersson, Director of Studies, at the phone number 08-16 13 04 or e-mail viktoria.pettersson@juridicum.su.se. International master's students must contact the Office of International Affairs at master@juridicum.su.se. Exchange students must also contact the OIA using the email address exchange@juridicum.su.se.

5.2 Examination

Note that the course administrator/teaching assistant must be informed of a student's documented disability **no later than three weeks before each examination** in order for the extra pedagogical support to be in place in time. If the information is received later, the department cannot guarantee that the examination can be carried out as desired. **Please also note that registration for the exam must be done in the usual manner no later than ten calendar days**

before the exam. Also note that in order to receive extra pedagogical support during the entire course (e.g. note-taking assistance) or special extra measures (e.g. dividing up the exam), the course administrator/teaching assistant must be contacted **at the latest by the start of the course.**

6 Student influence and course development

All students are asked to complete an anonymous electronic course evaluation at the end of the course. The course evaluation is of great importance for the quality assurance of the course content and its pedagogical structure. The course is constantly changing and evolving, and the views and ideas expressed in the course evaluation are always carefully considered.

7 Contact information

Head of the course:

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