

Introduction to International Law

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Class Time 9:00am – 12:00pm

Course Description:

This course is intended to introduce students to the basic concepts and problems of public international law and of the international legal system. The course will cover the traditional major topics in this field such as the sources and subjects of international law, the jurisdiction of states, international law and the use of force, and the relationship between international law and the internal law of states. It will also address newer themes in international law such as the international law of human rights and international criminal law. The course will review and discuss a number of international law cases decided by national and international tribunals, as well as certain treaties, resolutions and other international legal instruments of importance. The primary focus of this course is upon public international law, which is traditionally considered to encompass the binding normative rules and principles dealing with the conduct of states and of international organizations and with their relations *inter se*. An important secondary theme will be the effect of public international law upon private activity.

This course is also concerned with the understanding of the Korean problems or issues from the point of international law with special focus on the United Nations law. The Korean problems have been one of the most difficult and complex issues in the United Nations. The Korean problem still remains as the major source of tensions in the East Asian region, which has become the center of world attention. The Korean problem has also shown the potential and limits of international law with reference to the United Nations law in dealing with international crises.

Through this intellectual process, the students will gain a deeper understanding of the development of international law in terms of its past, present and future. The course will consist of lectures, presentations and discussions. At the end of this course, the students will take a final examination.

Course Materials/Text:

Suggested Textbooks

Antonio Cassese, *International Law* (Oxford University Press, 2005)

Malcolm N. Shaw, *International Law* (Cambridge University Press, 2008)

Ian Brownlie, *Principles of International Law* (Oxford University Press, 2008)

It is recommended that you read these books. An inexpensive source is the website of Amazon.com. However, there are no particular official textbooks for this course. Very detailed lecture notes and reading materials will be provided for each class. All students will be asked to complete the review of each lecture's notes and reading materials before attending the class. You **MUST** have the lecture notes when you come to class, as each class will proceed on the basis of the lecture notes!!!!

Grading:

Attendance and participation 20%

Presentation 20%

Final exam 60%

Course Schedule

Day	Subject	Main questions
1	Course Introduction	
2	The Nature of International Law	<ul style="list-style-type: none"> - Definition of International Law - Nature of International Law - New Understanding of Contemporary International Legal Order - Enforcement and International Law
3	Sources of International Law	<ul style="list-style-type: none"> - Formal and Material Sources of International Law - The Individual Sources of International Law
4	The Relationship between International and Municipal Law	<ul style="list-style-type: none"> - Competing Theories Defining the Relationship between International Law and municipal Law - The Application of Municipal Law in International Tribunals
5	International Personality	<ul style="list-style-type: none"> - States and International Personality - International Organizations - Individuals
6	Territorial Sovereignty and State Jurisdiction	<ul style="list-style-type: none"> - Modern Relevant Principles for Determining Territory - The Grounds of State Jurisdiction in International Law
7	Immunities from Jurisdiction	<ul style="list-style-type: none"> - Sovereign Immunity - Immunity of Diplomats - The Immunities of International Organizations
8	State Responsibility	<ul style="list-style-type: none"> - Nature of State Responsibility - Defenses and Justification for the Commission of International Delicts - Reparations
9	The Law of Treaties	<ul style="list-style-type: none"> - Definition and Force of Treaties - Reservation to Treaties - Validity of Treaty Obligations - Interpretation of Treaty Obligations - Modification, Suspension and Termination of Treaty Obligations - Emergence of a <i>Jus Cogens</i>
10	International Protection of Human Rights	<ul style="list-style-type: none"> - International Protection of Human Rights and the United Nations - International Human Rights Standards - Regional Human Rights Arrangements
11	The Peaceful Settlement of International Disputes	<ul style="list-style-type: none"> - Political Settlement of International Disputes - Judicial Settlement of International Disputes - The International Court of Justice (ICJ)
12	The Use of Force and Contemporary International Law	<ul style="list-style-type: none"> - The Use of Force and the UN Charter - The Right of Self-Defense - Humanitarian Intervention

13	The Origins and Nature of the Korean Question and International Law	<ul style="list-style-type: none"> - The Origins of the Korean Question and International Legal Issues - The Korean Question and the United Nations
14	Korean Reunification and International Law	<ul style="list-style-type: none"> - The Issues of North Korea's Nuclear Program and International Law - The International Status of North Korean Refugees - Korean Reunification and International Legal Justifications
15	Final Exam	