

PUBLIC INTERNATIONAL LAW – LW5118

Irish Centre for Human Rights School of Law Academic Year 2026-2027

Course Outline

Objective	The course is intended for students with <u>little or no knowledge of public international law</u> . The main objective of the course is to provide students with an overview of the basic notions and methodology of public international law. The course will equip students with the skills required in order to envisage public international law dimensions of real-life situations and be able to engage with public international law dimension of their area of specialisation (human rights, international criminal law, international humanitarian law etc).				
Lecturer(s)	<table><tr><th>Name</th><th>E-mail</th></tr><tr><td>Professor Ekaterina Yahyaoui Krivenko</td><td>Ekaterina.yahyaoui@universityofgalway.ie</td></tr></table>	Name	E-mail	Professor Ekaterina Yahyaoui Krivenko	Ekaterina.yahyaoui@universityofgalway.ie
Name	E-mail				
Professor Ekaterina Yahyaoui Krivenko	Ekaterina.yahyaoui@universityofgalway.ie				
Overall Learning Outcomes	• Explain and utilise correctly basic concepts of public international law and its terminology; • Identify and apply relevant sources of public international law in basic scenarios; • Apply basic public international law tools in the research; • Discuss public international law dimensions of current international events, including through a critically lens.				
Format	Each 3h (with a break) seminar consists of a theoretical introduction and class discussion of relevant public international law notions, documents, and decisions. Students are expected to undertake required readings in preparation for each seminar. Detailed instructions, including reflective questions for readings will be posted on blackboard one week in advance of each class. Seminars take place on Tuesdays from 10am to 1pm in the seminar room of the ICHR starting 17 September 2025. However, please check specific dates in the course outline and always check your emails for any changes.				
Programme(s)	All LL.M. programmes of the ICHR and the School of Law				
Course Material	Preparatory readings from some of the below textbooks or the Max-Planck Encyclopaedia of Public International Law will be indicated in the detailed course outline. They constitute the background reading. Other mandatory readings will be judgements and advisory opinions of the International Court of Justice. These judgements and opinions are available on the website of the ICJ: http://www.icj-cij.org/en/list-of-all-cases . These will form the basis for discussion in class.				

	Students are not required to purchase any textbook. However, they might find it useful to supplement required course readings by any up-to-date textbook. The following are particularly recommended (always check for the latest edition, but earlier editions can also be used provided notice is taken of relevant later developments): ▪ Cecily Rose, et al. <i>An Introduction to Public International Law</i>. 2nd ed. Cambridge: Cambridge University Press, 2026 ▪ Malcolm D. Evans (ed.), <i>Public International Law</i>, Oxford: Oxford University Press ▪ Jan Klabbers, <i>International Law</i>, Cambridge: Cambridge University Press, ▪ Malcolm N. Shaw, <i>International Law</i>, Cambridge: Cambridge University Press ▪ James Crawford, Brownlie's <i>Principles of Public International Law</i>, Oxford, Oxford University Press ▪ Paola Gaeta, Jorge E. Viñuales, and Salvatore Zappalá, <i>Cassese's International Law</i>, Oxford University Press
Assessment	Take-home exam on a problem from the list provided (5000 words maximum, excluding footnotes, table of contents and bibliography, 80%). In-class presentation of one of the cases listed as mandatory readings (20%) with 1-page summary (1000 words maximum) shared the day before class when the presentation is scheduled (by 5pm). Depending on the number of students registered, presentations might have to be prepared in groups. More clarifications will be provided during the first class.

LIST OF TOPICS TO BE COVERED

(some minor changes to the list are possible; the detailed course outline with all required readings will be posted on Canvas at least one week before the start of the module)

INTRODUCTION

1. Historical development and nature of international law

SOURCES AND NORMS OF PUBLIC INTERNATIONAL LAW

1. Theory of sources of public international law

- a) Distinction between the source and the norm
- b) Distinction between formal sources and material sources
- c) Article 38 of the Statute of the International Court of Justice
- d) Relationship between sources of public international law
- e) Relationship between norms of public international law

2. International treaties

- a) Definition and categories
- b) Conclusion of treaties
- c) Reservations to international treaties
- d) Validity of treaties
- e) Application of treaties
- f) Modifications and termination of treaties

3. Custom and other sources of public international law

- a) Custom
 - i) Formation of customary rules
 - ii) Application of customary rules
- b) General principles of law
- c) Judicial decisions and teachings of publicists
- d) Unilateral declarations

4. Other relevant notions

Jus cogens – *erga omnes* – soft law

5. Critical evaluation of the theory of sources

SUBJECTS OF PUBLIC INTERNATIONAL LAW

1. Overview

2. States

- a) Acquisition of legal personality
- b) Competencies
- c) Immunities

3. International Organisations and other subjects of public international law

- a) International organisations
 - i) Nature of their legal personality
 - ii) Example of the Organisation of the United Nations
- b) Individuals
 - i) Links to the State
 - ii) International protection of human rights
 - iii) International criminal law and duties of individuals
- c) Other subjects

IMPLEMENTATION OF PUBLIC INTERNATIONAL LAW AND RESPONSIBILITY OF STATES

1. Relationship between national and international law

- a) General theories:
monism and dualism - subordination and coordination
- b) Examples of application
 - i) International treaties
 - ii) Customary law and *jus cogens*

2. International responsibility