

Course Name : Public International Law							
Course Code	Course Type	Regular Semester	Lecture (hours/week)	Seminar (hours/week)	Lab. (hours/week)	Credits	ECTS
LAW 414	B	Spring	3.00	1.00	0.00	3.50	6.00
Lecturer		Gentjan Skara, PhD					
Assistant							
Course language		Albanian					
Course level		Master					
Description		Public International Law is the set of rules and norms of conduct between subjects of international law. This course is conceived as composed of several parts, which provide knowledge regarding the principles and sources of international law, essential elements for the existence of the state as a subject of international law, the establishment of non-governmental and intergovernmental organizations, key institutes International Maritime Law, International Treaty Law, Diplomatic and Consular Law, International Humanitarian Law, etc. Special attention is paid to international mechanisms for the peaceful settlement of international conflicts.					
Objectives							
Core Concepts		Imunitetet e diplomatëve Mision diplomatik Diplomati Konsull Ujra territorial Zona Ekonomike Ekskluzive Shelfi kontinental Deti i hapur Gjykata Ndërkombëtare e Drejtësisë Arbitrazhi E drejta humanitare Ndërmjetësimi					
Course Outline							
Week	Topic						
1	Introduction to International Law This topic addresses an overview of international law in historical terms as well as the importance of international law. During the lecture, the main concepts will be discussed so that students do not have difficulties. Also, students will be introduced to: i) the manner and form of lectures; ii) attendance obligations and iii) form of assessment. Relevant literature: 1.Martin Dixon, International Law (AIIS 2010) 35-60. 2. James Crawford, Brownlie's Principles of Public International Law (8th edition, OUP 2013) 3-19. 3. UN Charter						
2	Sources of international law This week students will be introduced to the sources of international law. Article 38 of the Statute of the International Court of Justice will be discussed by asking whether: i) the sources of international law and the elements provided; ii) Article 38 expresses hierarchy between sources; iii) are sufficient or Article 38 should be revised to reflect Security Council Resolutions and other soft sources. Relevant literature: 1.Martin Dixon, International Law (AIIS 2010) 61-136. 2. James Crawford, Brownlie's Principles of Public International Law (8th edition, OUP 2013) 20-47 3. Statute of the ICJ						
3	The law of treaties Treaty law along with customary international law are the main sources of international law. After World War 2, more and more, states are materializing their rights and obligations through the signing of treaties. This week, students will be introduced to the historical development of treaty law; definition of treaty; types of treaties; the manner of formation and the persons authorized to conclude a treaty. After understanding and how to formulate the treaty, students will be introduced to the meaning and importance of the reserve. To better understand it, some examples from international treaties and cases from Albania will be discussed in class. Also, in this topic will be treated the cases of invalidity of a treaty. Relevant literature: 1. Vienna Convention on the Law of Treaties 1969 2. Martin Dixon, International Law (AIIS 2010) 97-111						

4	International Law and National Legislation: The Monist and Dualist System This topic deals with the relationship of international law and international legislation. It is very important for students to become familiar with how international law penetrates the national legal system. Legal doctrine recognizes 2 types of systems: monistic and dualistic. During the treatment of this topic, it will be analyzed what system Albania has adopted and how international norms acquire legal value. Relevant literature: 1. Martin Dixon, International Law (AIIIS 2010) 137-167 2. James Crawford, Brownlie's Principles of Public International Law (8th edition, OUP 2013) 48-114. 3. Article 116; 122 and 123 Constitution of the Republic of Albania approved in 1998, last amended in 2016.
5	Legal subjectivity and state and international recognition This topic deals with the legal personality of the state as well as the elements of the state according to international law. Some authors consider that the elements of the state are: i) territory; ii) population; iii) sovereign power; and iv) the ability of a state to enter into relations with other states. This week will discuss these elements and look at the legal basis that defines these elements. Relevant literature: 1. Martin Dixon, International Law (AIIIS 2010) 168-200 2. James Crawford, Brownlie's Principles of Public International Law (8th edition, OUP 2013), 115-142 3. Montevideo Convention on the Rights and Duties of States 1933
6	Vienna Convention on Diplomatic Relations 1961 This lecture deals with the historical development of diplomatic law and its materialization through the Vienna Convention on Diplomatic Relations 1961. The lecture addresses the importance of the Vienna Convention on Diplomatic Relations 1961 and identifies the customary norms which are materialized in the Convention. The lecture also addresses the importance of this Convention today. Relevant literature: 1. Malcolm Shaw, International law (6th edition, Cambridge University Press 2008) 750-752 2. Vienna Convention on Diplomatic Relations 1961
7	Immunities from state jurisdiction As a rule, the jurisdiction of a state within its territory is complete and unlimited. However, there is also a norm of international law that a foreign state enjoys the right to certain immunities from the exercise of this jurisdiction, a norm that is generally known as the principle of state immunity. This lecture will discuss the general notion of immunity and its argumentation in international law. Relevant literature: 1. Martin Dixon, International Law (AIIIS 2010) 244-282.
8	The Law of the Sea: Conventions and Significance This topic deals with the law of the sea. The historical development of the law of the sea will first be explained with reference to the eminent author Hugo Grotius. The main conventions and their importance will be discussed below. During the treatment of the lecture, special emphasis will be given to the customary norms materialized in the conventions. Relevant literature: 1. Martin Dixon, International Law (AIIIS 2010) 283-287. 2. Malcolm Shaw, International law (6th edition, Cambridge University Press 2008) 553-556. 3. 1982 Convention on the Law of the Sea
9	Responsibility of states The international responsibility of the states will be addressed this week. International responsibility is always the relationship of the state with the state, when the state that has suffered harm seeks satisfaction (satisfaction). For a state to be called to international responsibility, it is necessary to meet certain conditions, called as elements of the responsibility of states, namely: i) there is an action or inaction (omission), which violates any obligation set by the norms of international law (international treaty, international custom) that is in force in the state responsible for the act and the state damaged by that act; ii) the illegal act must be attributed to the state as a subject of international law; iii) the damage must have been caused by the illegal act; and iv) all remedies provided by domestic law must have been used to obtain satisfaction. Relevant literature: 1. James Crawford, Brownlie's Principles of Public International Law (8th edition, OUP 2013), 539-589 2. Martin Dixon, International Law (AIIIS 2010) 324-362
10	Use of force Pursuant to Article 2 (4) of the Charter of the United Nations, All Members prohibit in their international relations any threat or use of force which is directed against the territorial integrity or political independence of a State or which is contrary to the purposes of the United Nations. . 'This principle is now regarded as part of customary international law, and has the effect of prohibiting the use of armed force, except: i) the collective action provided for in Articles 24 and 25, and Chapter VII of the Charter, and ii) self-defense (article 51). Relevant literature: 1. Martin Dixon, International Law (AIIIS 2010) 404 - 441

11	International humanitarian law This topic will address International Humanitarian Law (IHL) which is a set of rules for humanitarian reasons, intended to limit the consequences of armed conflict. IHL protects those who do not or do not participate in hostilities and limits the means and methods of combat. IHL is part of international law, which in fact regulates relations between states. International law is implemented through agreements between States - treaties or conventions, through customary rules which are based on the successful practices of these countries to introduce rules as legally binding, but also by basic principles. IHL is applied during armed conflicts. However, IHL does not regulate the situation when a state can use force: it is governed by an important but clearly distinct part of international law, which is enshrined in the Charter of the United Nations. During the lecture, the origin, nature and codification of IHL will be addressed. It will also be discussed whether IHL is applied in practice or not. Relevant literature: 1. Malcolm Shaw, International law (6 ed, Cambridge University Press 2008) 1167-1203.
12	Peaceful Conflict Resolution II: Case Studies After the theoretical analysis, students will analyze a case study. Objective treatment of conflict cases in the world which are the object of study is an opportunity to analyze the stages of development of these conflicts, the role of the parties involved in the conflict, methods, etc. The case of the Kosovo conflict is a model for illustrating how a so-called conflict between one party to a conflict, such as "internal affairs", can take on not only regional dimensions of the involvement of other parties in the aftermath of the conflict, but also global involving different actors in its resolution. Relevant literature: 1. Martin Dixon, International Law (AIIS 2010) 363-403 ..
13	Peaceful Conflict Resolution I In accordance with Article 2 (3) of the UN Charter, all members 'shall settle their international disputes by peaceful means so as not to jeopardize international peace, security and justice'. This lecture will discuss the main effective methods for resolving conflicts such as: third party intervention, target groups, negotiations, arbitration, mediation. These methods are considered functional depending on the approach of the parties involved in the conflict, as well as those involved in conflict resolution. Relevant literature: 1. Martin Dixon, International Law (AIIS 2010) 363-403.
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16	Final Exam
Prerequisites	
The student must attend the course at a minimum rate of 75%.	
Literature	
• Martin Dixon, E Drejta Ndërkombëtare (AIIS 2010) • James Crawford, Brownlie's Principles of Public International Law (OUP)	
References	
• Statuti i GJNDsë • Konventa UNCLOS	
Course Outcome	
1	Pas përfundimit të këtij kursi, studentët do të kenë përvetësuar njohuri të përgjithshme mbi të Drejtën Ndërkombëtare Publike dhe zbatimin praktik të normave të saj
2	Pas përfundimit të këtij kursi, studentët do të mund të identifikojnë dhe të zbatojnë parimet ndërkombëtare ligjore relevante për çështjet aktuale dhe ngjarjet në politikën globale.
3	Studentët do të mund të marrin informacion lidhur me me rregullat themelore dhe institucionet në fushën e të drejtave të njeriut, si dhe problemet e hasura në zbatimin e tyre.
4	Lënda do të përgatisë studentët për një karrierë në organizatat ndërkombëtare me trajnimin e tyre në strukturën dhe kompetencat e organizatave ndërkombëtare institucionale.

Course Evaluation			
In-term Studies	Quantity	Percentage	
Midterms	1	30	
Quizzes	0	0	
Projects	0	0	
Term Projects	0	0	
Laboratory	0	0	
Class Participation	0	0	
Total in-term evaluation percent			30
Final exam percent			70
Total			100
ECTS Workload (Based on Student Workload)			
Activities	Quantity	Duration (hours)	Total (hours)
Course duration (Including the exam week: 16x Total hours of the course)	16	4	64
Study hours outside the classroom (Preparation, Practice, etc.)	14	4	56
Duties	0	0	0
Midterms	1	12	12
Final Exam	1	18	18
Other	0	0	0
Total Work Load			150
Total Work Load / 25 (hours)			6.00
ECTS			6.00