

**MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE
WEST UKRAINIAN NATIONAL UNIVERSITY
FACULTY OF LAW**

Approved

Acting Dean of the Faculty of Law

WUNU


Nadia MOSKALYUK

« _____ » 2023



Approved

Acting Vice-Rector for Academic Affairs and Research


Viktor OSTROVERKHOV

« _____ » 2023



WORK PROGRAM

discipline

«Theory and practice of contemporary international law »

Higher education degree – master

Field of knowledge – 29 International relations

Specialty – 293 International law

Educational and Professional Program - 293 International Law

Department of International Law and Migration Policy

Form of study	Study year	Semester	Lectures	Practical classes	Individual work	Training	Student-self study	Total	Exam/ Credit
Full-time	II	3	24	24	5	4	93	150	Exam, 3

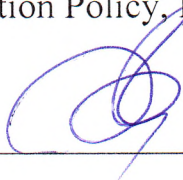
Ternopil – WUNU, 2023

31.08.2023
(Signature)

The work program was developed on the basis of the educational and professional program for Master's field of knowledge 29 International relations, specialty 293 International law, approved by the Academic Council of WUNU, Minutes № 9 from June 15, 2022.

The work program was prepared by head of the Department of International Law and Migration Policy, PhD., Assoc. prof. Yaryna ZHUKORSKA

The work program was considered and approved at the meeting of the Department of International Law and Migration Policy, Minutes № 1 dated August 29, 2023.

Head of Department  _____ Yaryna ZHUKORSKA

Considered and approved by Support group of specialty 293 International Law, Minutes № 1 dated August 31, 2023.

Head of Support Group  _____ Yaryna ZHUKORSKA
of specialty

Guarantor EP  _____ Yaryna ZHUKORSKA

**STRUCTURE OF THE WORK PROGRAM OF THE DISCIPLINE
“THEORY AND PRACTICE OF MODERN INTERNATIONAL LAW”**

1. Description of the discipline "Theory and practice of modern international law"

The discipline "Theory and practice of modern international law"	Field of knowledge, specialty, educational and professional program, higher education degree	Characteristics of the educational discipline
Quantity of ECTS credits – 5	Field of knowledge - 29 International relations	Discipline status: normative Language of study: English
Quantity of credit modules – 4	Specialty – 293 International law	Year of study - 2 Semester – 3
Number of content modules – 2	Educational and Professional Program - International Law	Lectures – 24 hours. Practical classes – 24 hours.
Total number of hours – 150 hours.	Higher education degree – master	Student-self study – 97 hours, of which the training is 4 hours. Individual work – 5 hours.
Weekly hours – 19 hours, of which classroom hours – 6 hours		Type of final control – exam, 3

Purpose and objectives of the discipline "Theory and practice of modern international law"

2.1. Purpose of studying the discipline "Theory and practice of modern international law":

Form an understanding of the relationship between theory and practice of modern international law; the essence of the problems of modern international law, gaps in international legal regulation; trends and prospects for the development of international law.

2.2. Tasks of studying the discipline: to form the ability to: identify, formulate and evaluate problems in the field of international law, apply tools, means and methods of international law to solve them; thoroughly investigate modern problems of international law, gaps in the regulation of international relations; to rethink the content and trends in the development of international law; operate with a specific categorical apparatus, modern theories and concepts.

2.3. Name and description of competencies, the formation of which ensures the study of the discipline:

SK 1 The ability to critically analyze the problems and regularities of the functioning and development of international relations, to determine the trends in the development of world politics, to assess the impact of global political processes on national legal, political and economic systems.

SK 4. The ability to comprehensively use highly specialized knowledge in specific areas of regulation of international public law, international private law, and European law to solve applied problems.

SK 10. The ability to provide a full and versatile international legal assessment of the actions of subjects of international law.

SK 12. Ability to conduct research and/or introduce innovations in various fields and institutions of international public law, international private law, EU law.

2.4. Prerequisites for studying the discipline.

Assimilation of knowledge according to the program of the unified Professional Entrance Test.

2.5. Learning outcomes.

PRE 4. Understand the international legal situation, forecast its development, professionally and critically evaluate events and phenomena in the field of international relations and world politics, using legal tools.

3. PROGRAM OF THE ACADEMIC DISCIPLINE "Theory and practice of modern international law"

Content module 1.

Topic 1. Concept and essence of modern international law.

The concept of modern international law. Content of international law. Relations regulated by international law and their features. The main differences between international law and national law. The concept of "supranationality". The question of the effectiveness of international law. Peculiarities of international law of the 21st century and development trends. Gaps in modern international law and their reasons. Codification of international law. Doctrine in international law.

Topic 2. Problems of the relationship between international law and national and supranational law

Theories of the relationship between international and domestic law. The theory of coordination in the legislation of modern democratic states. Trends in the development of the relationship between international and domestic law in the 21st century.

Topic 3. Modern development of the principles of international law

The principle of self-determination of peoples and its evolution. The principle of territorial integrity of states and its current state. Problems of the relationship between the principle of self-determination of peoples and the principle of territorial integrity. The principle of non-use of force and the threat of force and trends in its development. The principle of non-interference in internal affairs. The principle of universal respect for human rights and its modern development and influence on the international legal order. Problems of application and development of other principles of international law.

Topic 4. The problem of legal personality in international law

Peculiarities of legal personality in modern international law. State. International organizations. State-like formations. Nations and peoples fighting for self-determination. The individual and his international legal personality. Trends in changes in legal personality.

Topic 5. Coercion and responsibility in modern international law

Problems of responsibility in modern international law. Gaps and application practice. Trends in the development of the institution of responsibility. Peculiarities of responsibility of individual subjects in international law. The concept of coercion in modern international law. Sanctions and countermeasures. Measures and influence of the international community. Coercive apparatus and state sovereignty.

Topic 6. Territorial supremacy of states and problems of territory in international law

Concepts and types of territory. Territory as an object of disputes and conflicts. Legal regulation of the territory. Legal grounds for changing the state territory. Territorial disputes. Problems

of unrecognized, partially recognized territories. Territory and its population as two integral elements of potential conflicts.

Content module 2.

Topic 7. Problems of the law of international treaties

Pacta sunt servanda. Violation of international obligations in modern international law and its consequences. Invalidity of international agreements and non-compliance with international agreements. Termination and suspension of international agreements. The impact of armed conflicts on the operation of an international treaty in modern international law.

Topic 8. Modern armed conflicts and their legal regulation

International and non-international armed conflicts. Hybrid wars in the modern world. Direct and hidden areas of influence. The effectiveness of international organizations in the prevention and settlement of armed conflicts.

Topic 9. Violation of norms of international humanitarian law

Armed conflict and violations of humanitarian law. Gaps, problems and their solutions. Trends in the development of IHL norms. Responsibility for violations of IHL norms in the modern world. Liability for violation of IHL norms as a preventive measure.

Topic 10. Effectiveness of means of peaceful settlement of disputes

Means of peaceful settlement of disputes in modern international law. Features and trends of development. State sovereignty and peaceful means of dispute resolution. Power as a factor in dispute resolution. Effectiveness of means of peaceful resolution of disputes in modern conditions.

Topic 11. The role and development prospects of international organizations

The influence of international organizations in the modern world. Legal nature of international organizations. Effectiveness of means and methods of international organizations. Decision-making mechanisms. Internal law of international organizations. Use of coercive means. Element of supranationality. Development prospects of international organizations.

Topic 12. Global trends and prospects for the development of international law: the most pressing issues

The main problems of modern international law. Gaps in legal regulation and prospects for their filling. Codification of international law. Application and interpretation of international law. Legal awareness of subjects of international law. International law is an ideal means of legal regulation of the future. Trends and changes in modern international law.

4. Structure of the credit in the discipline "Theory and practice of modern international law"

Topics	Lectures	Practical classes	Self work	Individual work	Control measures
	Content Module 1				
Topic 1. Concept and essence of modern international law. The question of the effectiveness of modern international law	2	2	8	2	Tests, questions
Topic 2. Problems of correlation of international law with national and supranational law	2	2	8		Tests, questions
Topic 3. Modern development of principles of international law	2	2	8		Tests, questions
Topic 4. The problem of legal personality in international law	2	2	8		Tests, questions
Topic 5. Coercion and responsibility in modern international law	2	2	8		Tests, questions
Topic 6. Territorial sovereignty of states and problems of territory in international law	2	2	8		Tests, questions
Content Module 2					
Topic 7. Problems of the law of international treaties.	2	2	8	3	Tests, questions
Topic 8. Modern armed conflicts and their legal regulation.	2	2	8		Tests, questions
Topic 9. Violation of norms of international humanitarian law.	2	2	8		Tests, questions
Topic 10. Effectiveness of means of peaceful settlement of disputes.	2	2	8		Tests, questions
Topic 11. The role and development prospects of international organizations.	2	2	8		Tests, questions
Topic 12. Global trends and prospects for the development of international law: the most pressing issues	2	2	9		Tests, questions
TOTAL	24	24	97	5	

5. Topics of practical classes in the discipline "Theory and practice of modern international law"

Practical class № 1

Topic: Concept and essence of modern international law.

Purpose: To know the problems of modern international law, gaps and trends; to analyze the effectiveness of norms of international law.

Questions for discussion:

1. The concept of modern international law.
2. Content of international law.
3. Relations regulated by international law and their features.
4. The main differences between international law and national law.
5. The concept of "supranationality".
6. The question of the effectiveness of international law.
7. Peculiarities of international law of the 21st century and development trends.
8. Gaps in modern international law and their reasons.
9. Codification of international law.
10. Doctrine in international law.

Practical class № 2

Topic: Problems of the relationship between international law and national and supranational law

Purpose: To know the problem of the relationship between international law and domestic law; development trends.

Questions for discussion:

1. Theories of the relationship between international and domestic law.
2. The theory of coordination in the legislation of modern democratic states.
3. Trends in the development of the relationship between international and domestic law in the 21st century.

Practical class № 3

Topic: Modern development of the principles of international law

Purpose: To know the main problems in the application of the principles of international law, trends in their development.

Questions for discussion:

1. The principle of self-determination of peoples and its evolution.
2. The principle of territorial integrity of states and its current state.
3. Problems of the relationship between the principle of self-determination of peoples and the principle of territorial integrity.
4. The principle of non-use of force and the threat of force and trends in its development.
5. The principle of non-interference in internal affairs.
6. The principle of universal respect for human rights and its modern development and influence on the international legal order.
7. Problems of application and development of other principles of international law.

Practical class № 4

Topic: The problem of legal personality in international law

Purpose: To know the problems of legal personality in international law and to know the main trends of its development.

Questions for discussion:

1. Peculiarities of legal personality in modern international law.
2. The state.

3. International organizations.
4. State-like formations.
5. Nations and peoples fighting for self-determination.
6. An individual and his international legal personality.
7. Trends in changes in legal personality.

Practical class № 5

Topic: Coercion and responsibility in modern international law

Purpose: To know the nature of coercion in international law and the mechanisms of its application.

Questions for discussion:

1. Problems of responsibility in modern international law.
2. Trends in the development of the institution of responsibility.
3. Peculiarities of responsibility of individual subjects in international law.
4. The concept of coercion in modern international law.
5. Measures and influence of the international community.
6. Apparatus of coercion and state sovereignty.

Practical class № 6

Topic: Territorial sovereignty of states and problems of territory in international law

Purpose: To know the problems of the territory in international law, their causes and consequences.

Questions for discussion:

1. Concepts and types of territory.
2. Territory as an object of disputes and conflicts.
3. Legal regulation of the territory.
4. Legal grounds for changing the state territory.
5. Territorial disputes.
6. Problems of unrecognized and partially recognized territories.
7. The territory and its population as two integral elements of potential conflicts.

Content module 2.

Practical class № 7

Topic: Problems of the law of international treaties

Purpose: To know the main problems of the law of international treaties, as well as ways of solving them and development trends.

Questions for discussion:

1. Pacta sunt servanda.
2. Violation of international obligations in modern international law and its consequences.
3. Invalidity of international agreements and non-compliance with international agreements.
4. Termination and suspension of international agreements.
5. The impact of armed conflicts on the effect of an international treaty in modern international law.

Practical class № 8

Topic: Modern armed conflicts and their legal regulation

Purpose: To know the peculiarities of modern armed conflicts and trends in changing the legal nature of conflicts, and, accordingly, the means of their settlement.

Questions for discussion:

1. International and non-international armed conflicts.
2. Hybrid wars in the modern world.
3. Direct and hidden zones of influence.

4. Effectiveness of international organizations in the prevention and settlement of armed conflicts.

Practical class № 9

Topic: Violation of norms of international humanitarian law

Purpose: To know the dangers and consequences of violating the norms of international humanitarian law.

Questions for discussion:

1. Armed conflict and violations of humanitarian law.
2. Gaps, problems and their solutions.
3. Trends in the development of IHL norms.
4. Responsibility for violations of IHL norms in the modern world.
5. Liability for violation of IHL norms as a preventive measure.

Practical class № 10

Topic: Effectiveness of means of peaceful settlement of disputes

Purpose: To know the nature of the effectiveness of means of peaceful settlement of disputes and the trends of their development.

Questions for discussion:

1. Means of peaceful settlement of disputes in modern international law.
2. Features and development trends.
3. Sovereignty of states and peaceful means of resolving disputes.
4. Power as a factor in dispute resolution.
5. Effectiveness of means of peaceful settlement of disputes in modern conditions.

Practical class № 11

Topic: The role and development prospects of international organizations

Purpose: To know the role of international organizations in modern international law, to analyze the trends and prospects of their development.

Questions for discussion:

1. The influence of international organizations in the modern world.
2. Legal nature of international organizations.
3. Effectiveness of means and methods of international organizations.
4. Decision-making mechanisms.
5. Internal law of international organizations.
6. Use of coercive means.
7. Element of supranationality.
8. Prospects for the development of international organizations.

Practical class № 12

Topic: Global trends and prospects for the development of international law: the most pressing issues

Purpose: To know the main trends and prospects for the development of modern international law, new phenomena and their regulation.

Questions for discussion:

1. The main problems of modern international law.
2. Gaps in legal regulation and prospects for their filling.
3. Codification of international law.
4. Application and interpretation of international law.
5. Legal awareness of subjects of international law.
6. International law is an ideal means of legal regulation of the future.
7. Trends and changes in modern international law.

6. Complex practical individual task in the discipline "Theory and practice of modern international law"

Complex practical individual task (CPIT) in the discipline "Theory and practice of modern international law" provides for the implementation of various forms of individual work by students and the formation of an individual student portfolio, including:

- - preparation of a scientific article or theses of a scientific report for publication;
- - participation in Internet conferences;
- - participation in student Olympiads;
- - writing essays, performing creative tasks;
- - participation in a team project.
-

The type of CPIT is agreed with each student individually.

CPIT topics are also agreed individually.

7. OUTCLASSES WORK IN THE DISCIPLINE "Theory and practice of modern international law"

	Topics
1.	The problem of unrecognized territories in modern international law.
2.	Territorial disputes.
3.	Effectiveness of international organizations in conflict resolution and armed conflict prevention.
4.	The problem of decision-making efficiency in modern international organizations.
5.	Legal personality of an individual.
6.	Means of coercion in modern international law.
7.	The principle of non-use of force and the threat of force.
8.	Correlation of the principle of self-determination of peoples and the principle of territorial integrity.
9.	Recognition of new states and governments.
10.	The principle of non-interference in internal affairs.
11.	Trends in the development of international law in the 21st century.
12.	Development of the institution of responsibility in modern international law and its prospects.

8. Training in the discipline "Theory and practice of modern international law"

Training in the discipline "Theory and practice of modern international law" is conducted during the academic week, contains a combination of independent work of students and classroom work under the guidance of a teacher and is based on the topic of independent work and materials of complex practical individual tasks.

1 Correlation of the principle of self-determination of peoples and the principle of territorial integrity.

2 Unrecognized and partially recognized territories - features and legal status.

3 Hybrid wars.

4 Development of the institution of responsibility in the practice of international judicial institutions.

Training procedure

1. Familiarize yourself with the prerequisites, basic principles and principles.

2. Conduct an analysis of a specific situation.

3. Present the results of the analysis in the form of a team project (for example, a simulated court session). The focus is on the relationship between theory and practice in international law.

9. Assessment tools and methods for demonstrating learning outcomes

In the process of studying the discipline "Theory and practice of modern international law", evaluation tools and methods of demonstrating learning results are used: current survey; credit module survey; team projects; analytical reports, abstracts, essays; presentations of the results of completed tasks and research; rector's control work. The final form of control is an exam. When studying the academic discipline "Theory and practice of modern international law", the following teaching methods are used: lectures, seminar classes, individual classes, performing scientific works under the guidance of a teacher.

10. Criteria and forms of current and final control

The final score (on a 100-point scale) in the discipline «Law of international responsibility and international justice» is defined as a weighted average value, depending on the specific weight of each component of the credit score:

Credit module 1	Credit module 2	Credit module 3	Exam	Total
20	20	20	40	100%
Oral survey during classes (1-6 topics) - 5 points per topic - max. 30 points Modular control work - max. 70 points	Oral survey during classes (6-12 topics) - 5 points per topic - max. 30 points Modular control work - max. 70 points	Preparation of CPIT - max. 40 points. Protection of CPIT - max. 40 points Participation in trainings - max. 20 points	Theoretical questions (2 questions) – 30 points each, max. 60 points Case (1 case) - max. 40 points	

Rating scale:

By the WUNU scale	By the national rating scale	By the ECTS scale
90–100	excellent	A (excellent)
85–89	good	B (very good)
75-84		C (good)
65-74	satisfactory	D (satisfactory)
60-64		E (sufficient)
35-59	unsatisfactory	FX (unsatisfactory with the possibility of re-examination)
1-34		F (unsatisfactory with a mandatory repeat course)

11. Tools, equipment and software that the academic discipline provides for

№	Description	Topic number
1.	Flipchart	Topics 1-12
2.	Laptop	Topics 1-12
3.	Projector	Topics 1-12
4.	Set of presentation materials	Topics 1-12

RECOMMENDED SOURCES OF INFORMATION

1. Aalberts Tanja, Gammeltoft-Hansen Thomas. *The Changing Practices of International Law*. 2018. 251 p.
2. Bantekas Ilias, Oette Lutz. *International Human Rights Law and Practice*. 2020. 1018 p.
3. Beham Markus P.. *State Interest and the Sources of International Law: Doctrine, Morality, and Non-Treaty Law*. 2018. 251 p.
4. Close Josepha. *Amnesty, Serious Crimes and International Law: Global Perspectives in Theory and Practice*. 2019. 316 p.
5. Jeffrey L. Dunoff, Mark A. Pollack. *International Legal Theory: Foundations and Frontiers*. 2022. 430 p.
6. Masahiko Asada. *Economic Sanctions in International Law and Practice*. 2021. 272 p.
7. Pablo Kalmanovitz. *The Laws of War in International Thought*. 2020. 208 p.
8. Roucounas Emmanuel. *A Landscape of Contemporary Theories of International Law*. 2019. 732 p.
9. Teson Fernando. *A Philosophy Of International Law*. 2018. 208 p.

Internet sources

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