

Направление «Юриспруденция», ООП «Теория и история государства и права, история правовых учений»

Дисциплина: Природа международного права: критический анализ

Аннотация

Трудоемкость: 2 ECTS, 72 академических часов

Форма итогового контроля : зачет

Краткое содержание: The Study Course titled “The Nature of Public International Law: Critical Analysis” is an English language course for all LL.M. students of the Department of Law of the Institute of Law and Politics of the Russian-Armenian University regardless of their specialization. The compulsory study course is taught during the 2nd year of the LL.M. studies.

The taught course aims at covering the basics of PIL, as well as the contemporary debates within the framework of PIL, which are of specific significance. The course focuses on the critical analysis of the history of development of International Law, the weak and strong characteristics of PIL as a legal system and the challenges to International legal regulations nowadays. Given that International Law is an integral part of the national legislation it is of utmost importance for the law students to be able to conduct the critical analysis of the main theoretical and practical legal issues within the framework of PIL with the emphasis on correlation of PIL and municipal law.

The main topics covered by the Course include:

- The nature and development of Public International Law (inter alia, International Law & Politics, International Law & moral rules, historical development of PIL, modern theories, rationae tempore, rationae materia & rationae loci of PIL).
- The issue of correlation of PIL and municipal law in general. The issue of correlation of Public International Law and International Private Law.
- The role of PIL in the national legal system of the Republic of Armenia.
- The sources of PIL – general introduction, the existing classification. The issue of hierarchy between the sources of PIL.
- Statutory sources: custom, treaties, general principles of law, judicial decisions, legal doctrines, as well as other sources of PIL.
- Subjects to PIL (legal personality, general introduction to the topic of subjects of International Law, contemporary developments, the problem of the tendency to consider non-state actors, transnational corporations and individuals as subjects of International Law).
- IHRL as a branch of PIL (the main universal and regional legal mechanisms of protection of human rights, the role of ECtHR in the development of the national legislation of the RoA, correlation of IHRL and International Environmental Law).
- LOAC as a branch of PIL (introduction to LOAC, the current challenges to efficient implementation of LOAC, correlation of IHRL & LOAC).

The teaching of the Course is designed to be in an interactive format with high level of involvement of the students via discussions, debates, role plays, as well as short ppt presentations (prepared individually or in a teamwork) on different topics from a list of PIL topics.

Взаимосвязь с другими дисциплинами: Данная дисциплина взаимосвязана с такой юридической дисциплиной как «Актуальные вопросы международного права».