

**Course type : 24 hours - 3 ECTS**

A GENERAL INTRODUCTION TO PUBLIC INTERNATIONAL LAW

PART I

SOURCES OF PUBLIC INTERNATIONAL LAW

CHAPTER 1: INTERNATIONAL TREATIES

Section 1: The Concept of International Treaties

§1: Definition of international treaties

§2: International Instruments without legal effects

Section 2: Conclusion of international treaties

§1: Entities concluding international treaties

A. States

a) Treaty making power of States

b) Constitutional organs in charge of treaty making policy of States

B. International organisations

C. Other entities?

a) The case of "pre-State" entities

b) The case of private persons

§2: The process of international treaties making

A. Negotiating international treaties

a) Methods of international negotiation

b) Ending negotiations on treaties

c) Formal aspects of treaties

B. Entry into force of international treaties

a) General aspects concerning entry into force

b) The consent to be internationally bound

c) The *pactum de contrahendo*

C. Reservations to treaties

Section 2: Legal effects of international treaties

§1: Legal effects of treaties on States parties to a treaty

A. Implementing international treaties

a) *Pacta sunt servanda*

b) Contradictory engagements

c) Guarantees concerning implementation of international treaties

2

d) Legal effects of treaties in national law

B. Interpreting international treaties

§2: Legal effects on non-parties to treaties

A. Rights of third parties

a) A general rule in favour of third parties

b) The particular case of the most favoured nation clause

B. Obligations of third parties

a) The restrictive scope of obligations on third parties

b) The particular case of objective regimes

Section 3: End of validity of international treaties

§1: Termination of international treaties

A. Ordinary causes of termination of treaties

a) End of effects of treaties provided by treaties

b) Denunciation of treaties

- B) Extraordinary causes of termination of treaties
  - a) General aspects
  - b) The *rebus sic stantibus* clause
  - c) The emergence of a new peremptory norm of international law
- §2: Cases of invalidity of international treaties
  - a) Problems with the consent to be bound
  - b) Treaties contrary to existing peremptory norms
- CHAPTER 2: THE OTHER SOURCES OF PUBLIC INTERNATIONAL LAW
- Section 1: International customary law
  - §1/ The constituent elements of international customs
    - A. International practice
    - B. *Opinio iuris sive necessitatis*
  - §2: International customs in their relations to international treaties
- Section 2: Marginal sources of international law
  - §1: General principles of law recognized by civilised nations
  - §2: Judicial decisions and teaching of international publicists
- Section 3: Controversial sources of international law
  - §1: Decisions of international organisations
  - §2: Unilateral acts of States
- 3
- PART II:
- DISPUTE SETTLEMENT IN INTERNATIONAL LAW
- CHAPTER 1: DIPLOMATIC MEANS FOR SETTLING INTERNATIONAL DISPUTES
- Section 1: Political negotiations between parties to the dispute
- Section 2: Third parties interventions
  - §1: Informal procedures
    - A. Good offices
    - B) Mediation
  - §2: Formalised procedures
    - A) International enquiry commissions
    - B) International conciliation commissions
- CHAPTER 2: SETTLING INTERNATIONAL DISPUTES BY "COMPULSORY" MEANS
- Section 1: International arbitration
  - §1: International arbitration in its historical evolution
  - §2: General characteristics of the international arbitration
    - A) The arbitration agreement (*compromis*)
    - B) "Compulsory" recourse to arbitration
  - §3: Arbitral tribunals
    - A) Composition of arbitral tribunals
    - B) Applicable law and legal effects of arbitral awards
- Section 2: The international Court of Justice
  - §1: The Court's internal organization
  - §2: The Court's competence
    - A) The Court's contentious competence
    - B) The Courts' advisory competence
- Section 3: Multiplication of international judicial and quasi-judicial bodies
  - §1: Reasons of the multiplication of these bodies
    - A) The challenge of the specialisation
    - B) The challenge of the regionalisation

§2: An assessment of the multiplication

4

CHAPTER 3: A NON-PEACEFUL SETTLEMENT OF INTERNATIONAL  
DISPUTES?

Section 1: Resort to non-peaceful means before the UN Charter

Section 2: The prohibition of war according the the Charter

Section 3: Derogations to the principle of prohibition of resorting to force