# .- International law

## Prof. Dino G. Rinoldi

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

The course aims to ensure that students acquire a good knowledge of the different forms and contents of the current international law in all its multiple dimensions, as well as its possible developments.

 At the end of the course, students will be able to reconstruct and understand the system of the sources of the international legal system in its complexity, the schemes at the basis of international legal subjectivity and sovereignty, the law-making processes and the verticalisation trends of the international legal system from a dynamic perspective, that takes into account the classical reconstructions of this legal system and the evolutionary trends it is experiencing.

 Furthermore, students will be able to acquire the knowledge they need to retrace the role of the human being in the current historical-legal context, and the statutes (either universal and particular) for the protection of the fundamental freedoms of people in the age of globalisation and the internationalisation of human rights, also in the light of impending crisis.

 Finally, they will be able to understand and apply the schemes of international trials and jurisdiction that are useful for the study of practical cases focused on issues of contemporary relevance and interest.

 Overall, thanks to the analysis of its contents, the course aims to provide students with the tools they need to develop a critical vision of international relation dynamics in their legal dimension, and apply the institutions under analysis to concrete case studies.

***COURSE CONTENT***

*General course*: public and private international law in times of freedoms and conflicts.

Subjects (States and other bodies) and sources (particular and general) of international law: the ‘Westphalian system’; freedom of conscience and free will; values, ethics, *soft law*. A variety of actors in international relations: private citizens (natural and legal person), international law, globalisation. Public international law, private international law, national legal system, transnational law. Geographical, cosmic, supranational, and virtual areas. World administration in times of interdependence and interconnection: global law, unlimited law? Human rights between universal and particular. A new ius gentium? Wars and weapons.

*Single-subject course:* the international law of armed conflicts.

«In time of war or other public emergency threatening the life of the nation»: what to do? From Grotius to the beginning of the third millennium: intersections between the law of peace and the law of war. The jurisdiction of universal and regional intergovernmental organisations in this field. Non-governmental organisations. The article 11 of the Constitution. The issue of the threat and the use of the nuclear weapon.

***READING LIST***

For the *general course*

Benedetto Conforti and Massimo Iovane, Diritto internazionale, last ed., Editoriale scientifica, Naples

For the *single-subject course*

The reading list will be made available during classes and on the UCSC platform online.

***TEACHING METHOD***

Traditional ‘frontal’ lectures supported by the analysis of ‘teaching material’, carried out in class, aimed to illustrate the course content using a methodology based on case studies; practical activities, carried out in class, aimed to analyse and reconstruct case law.

***ASSESSMENT METHOD AND CRITERIA***

The students’ preparation will be assessed through an oral exam based on the whole content of the course, as well as the analysis of the case studies illustrated during the lectures.

The exam will be based on the following assessment criteria:

- The knowledge of the course content and the acquisition of the skills required by the course and stressed in detail during classes

- The acquisition and use of an appropriate technical-legal terminology

- The ability to develop meaningful arguments based on the course content

- The ability to consult, analyse, and understand the key legislative texts

During the exam, students will be allowed to use the key legislative texts.

For non-attending students, the assessment will be based on the contents of the textbook recommended for the study of the general part of the course and a private international law textbook, it being understood that they will have to contact the lecturer in order to define the best way to prepare for the final exam, considering their academic record and preferences, as well as the instructions for the study of private international law.

***NOTES AND PREREQUISITES***

For an adequate understanding of the topics analysed during the course, students are expected to have a good knowledge of Constitutional law and Private law institutions.

Information on office hours available on the teacher's personal page at http://docenti.unicatt.it/.