

INTERNATIONAL CONSTITUTIONAL LAW (21037)

Option

Degree awarded: DEGREE IN LAW

Academic year: 3rd (2011-2012)

Term: 1st

Number of ECTS credits: 5

Student hours: 125

Syllabus

International Constitutional Law is an optional subject within the specialist field of international studies. Its starting point is therefore knowledge acquired by students on the core course Public International Law and it aims to provide an in-depth study of the international legal system from the constitutional analysis perspective. In recent decades the international community has been evolving in a way which is highly important from a qualitative point of view. According to this approach, the process can be described as constitutional because it is possible to identify general values and interests of the whole international community. With the aim of regulating and protecting these common values and interests a set of international legal regulations and institutions has been created which also enable this process to be classified as the constitutionalising of public international law.

The course therefore aims to describe and analyse the most important features of this process and to interpret the evolution of international law as a legal system with a new conceptual framework. International regimes whose mission is to protect the common values and interests of the international community mentioned above are also examined: certain areas and resources that are outside national jurisdiction and are of interest to all; protecting the environment, the maintaining of international peace and security and the protection of the individual, (human rights and international humanitarian law). Finally, the international responsibility of the state and individuals for violating the international rules for protecting these general values and interests is studied.

The course takes an in-depth look at public international law and is closely related to others such as European Union Law, International Economic Law and European Constitutional Law.

Topic 1. The international community and international law in the constitutionalising process.

Topic 2. The constitutionalising of international law and international legal rules.

Topic 3. Participation and subjectivity in the global constitutional community and in public international law.

Topic 4. The legal rules relating to the general interests of the international community.

Introduction. The notion of the general interests of the international community.

Topic 5. The high seas, seabed and ocean floor areas and other resources and areas of general interest.

Topic 6. The international protection of the environment.

Topic 7. Peace-keeping.

Topic 8. Collective security

Topic 9. The international protection of human rights

Topic 10. International humanitarian law

Topic 11. The international responsibility of the State

Topic 12. The international responsibility of individuals