

Legal Techniques in International law

Infos pratiques

- > ECTS : 4.5
- > Nombre d'heures : 24.0
- > Langue(s) d'enseignement : Anglais
- > Période de l'année : Enseignement neuvième semestre
- > Méthodes d'enseignement : En présence
- > Forme d'enseignement : Cours magistral
- > Ouvert aux étudiants en échange : Oui
- > Campus : Campus de Nanterre
- > Composante : Droit et science politique

Présentation

As is well-admitted, International Law is not a mere addition of rules, but a quite complex legal *system*, which consistency and efficiency cannot correctly be appraised without possessing a series of "technical legal tools". Interpretative principles and methods, codification, cross-fertilization, normative articulation between legal systems, are but a few of the concepts that come to mind when thinking of what the most common legal techniques in international law are.

But beyond their usefulness to better understand international law as it stands, legal techniques must also be mobilized when it comes to the "fabrication" of international law as well as with respect to its day to day practice.

As for its fabrication, crucial points are the drafting techniques of international agreements as well as negotiation skills. When it comes to customary international law, comparative law, but also the so-called "politique juridique extérieure" are equally important. As for its day to day application, international law requires practitioners to know how to respond to a complex legal question in a sound written advice, and to have clear in mind the tools at their disposal to obtain respect of international law through litigation or other institutional paths.

The course is intended to review these different elements, with the view to help students to have a general understanding of what they learn in the different course they follow, and acquire capacity to use them in mobilizing legal techniques. It is structured in three parts, Legal techniques and the fabrication of international law, Legal techniques and the clarification international law as it stands; Legal technique and the application of international law. The course is merely based on case-studies

Objectifs

The objective of the course is to help students to become capable of *intervening* – or having an impact – on international law. With this course, students should, beyond the knowledge acquired, be capable of elaborating a draft treaty – or draft provisions, written legal advice, a report on an international situation, an application before a court or tribunal

Évaluation

Examen oral

Pré-requis nécessaires

Les étudiants doivent avoir suivi des cours de droit international de niveau L3 et M1

Compétences visées

Meilleure compréhension du droit international en tant que système ; aptitude à être un acteur par rapport au droit international

Contact(s)

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