

**PUBLIC INTERNATIONAL LAW AND EUROPEAN UNION LAW
2016-2017**

Bachelor Degree:	LAW	202 G
Course title:	PUBLIC INTERNATIONAL LAW AND EUROPEAN UNION LAW	704
Year/Semester:	2ND	ECTS Credits: 9

DEPARTMENT

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PART I. PUBLIC INTERNATIONAL LAW

UNIT1. 1. Introduction. 1. The socio-historical structure of the international order: the contemporary international system. 2. Public international law as a legal and formal structure. 3. The international personality. Special reference to the peoples. Situations of interest to Spain.

UNIT 2. The implementation of international law. 1. Introduction. 2. The application of international customs. 3. Interaction custom-treaties. 4. The application of unilateral acts. 5

UNIT 3. Implementation of international treaties. A. Reservations to treaties. B. Entry into force and provisional application. C. The application of treaties in time and space. D.- Implementation of successive treaties on the same subject. Treaties and third States. E.- The ineffectiveness of treaties.

UNIT 4. Relations between international law and internal systems. 1. General approach. 2. Reception and DI hierarchy in domestic law (comparative constitutional law). 3. Reception and DI hierarchy in Spanish law.

UNIT 5. The State. 1. Elements and skills. Recognition of States and Governments. 2. State succession. 3. State immunities. 4. State bodies of international relations.

UNIT 6. The state powers (I). 1. The territorial jurisdiction of the State and acquisition modes. 2. The land territory. 3. airspace.

UNIT 7. The state powers (II). Marine spaces. 1. Evolution of the Law of the Sea 2. Inland waters. 3. territorial sea. 4. Contiguous zone. 5. The international straits. 6. The Exclusive Economic Zone. 7. The Continental Shelf. 8. Areas of international interest.

UNIT 8. The international responsibility. 1. General approach. 2. Concept and elements of the internationally responsibility. 3. Circumstances of exemption. 4. Repair.

UNIT 9. Diplomatic protection of individuals. 1. Concept and legal nature. 2. Conditions of exercise. 3. The diplomatic and consular protection in the European Union.

UNIT 10. The peaceful settlement of international disputes. 1. The principle of peaceful settlement of international disputes. 2.- diplomatic or political settlement procedures. 3. The procedures of judicial nature.

UNIT 11. Peacekeeping and use of force. 1.- Historical Evolution of the use of force in international society. 2. The principle of the prohibition of the use of force in the framework of the United Nations. 3. Exceptions to the prohibition of the use of force. 4. Other matters.

UNIT 12. Institutionalized international cooperation: international organizations. 1. The United Nations system. 2. Regional organizations. Special reference to regionalism in Europe.

PART II. EUROPEAN UNION LAW

UNIT 13.- HISTORICAL EVOLUTION OF EUROPEAN INTEGRATION PROCESS. 1.-The creation of the European Communities 2. From the European Communities to the European Union: deepening and widening. 3. General characteristics and principles of the European Union. 4. The EU Citizenship.

UNIT 14. THE INSTITUTIONAL SYSTEM OF THE EUROPEAN UNION (I): 1. Introduction. 2. The European Council: the institutionalization of the European Council. Organization and functions. 3. The Council: composition. The presidency. Powers. Voting procedures.

UNIT 15.- INSTITUTIONAL SYSTEM OF THE EUROPEAN UNION (II). 1. The Commission: composition and appointment. Powers. 2. The European Parliament: composition and internal organization. Powers. 3. The European Central Bank. 4. Advisory organs.

UNIT 16.- FINANCING OF THE EUROPEAN UNION. 1. The principles of EU budget- 2. The resources system. - 3. Process 4. Implementation and control of Budget.- The Court of accounts.

UNIT 17. THE PRINCIPLES OF THE EU LAW IN ITS RELATIONS WITH INTERNAL LEGAL ORDERS.- 1. Autonomy of UE Law.- 2. The direct effect. 3. The primacy of the UE law.- 4. State responsibility for breach of law UE.- 5. The application of EU law in Spain.

UNIT 18.- JUDICIAL REVIEW.- 1. The jurisdiction of the EU: the Court and the General Court.- 2. Direct appeals.- 3. Cooperation between the jurisdiction of the EU and national jurisdictions.

REFERENCES

Title
Brownlie, Principles of Public International Law, 8ª ED.
The Foundations of European Union Law, Oxford University Press, 8ª ed, Trevor Hartley

EVALUATION SYSTEM

In accordance with the teaching guide, to pass the subject it is necessary to pass the final objective test. The rating thus obtained is weighted considering representing 70% of the note. To the resulting qualification will add the score of each student in all developed in small group activities and work (this part of qualifying accounts for 30% of the grade and includes the regularity and quality of interventions made in solving practical assumptions of fact or any other similar activity).