

TEACHING GUIDE
INTERNATIONAL AND COMPARATIVE LAW

**GRADO EN PROTOCOLO, ORGANIZACIÓN DE EVENTOS Y
COMUNICACIÓN CORPORATIVA (INGLÉS)**

ACADEMIC YEAR 2024-25

Date: 03-07-2024



I.-Subject Identification	
Type	OBLIGATORIA
Teaching period	2 course, 1Q semester
Nº of credits	6
Language in wich the subject is taught	English

II.-Presentation
<p>This course aims to give the student a basic understanding of the following items:</p> <ul style="list-style-type: none"> - The international law-making processes. - The means through which international law is implemented, as well as the international responsibility mechanisms. - The regulation of State competences over territorial, maritime and air spaces.

III.-Competences
<p>Generic competences</p> <p>CG2. Ability to apply knowledge to practice CG3. Ability to analyse, gather and summarise information and data CG5. Development of autonomous learning in the field of study CG6. Planning and organisation skills CG9. Ability to gather, evaluate and interpret information from different sources CG10. Decision-making and problem-solving skills CG14. Critical-thinking and self-criticism skills CG15. Ability to coordinate, manage and motivate work teams in order to gain benefits and achieve results for other people</p>
<p>Specific competences</p> <p>CE3. Knowledge of the cultural and intercultural environment for the development of any protocol activity or event CE11. Knowledge of the professional and business environment related to the practice of the profession CE42. Understand the creation process of international legal norms CE43. Know and understand the means that guarantee the implementation of international law and international accountability mechanisms, as well as state jurisdiction over land, sea and air space</p>

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IV.-Contents

IV.A.-Syllabus

1. Introduction to international law

2. The international Community and legal structures. International subjectivity
3. Specific characteristics of international law and the law-making processes, norms, rights and international obligations
4. The implementation of international law
5. International responsibility and dispute settlement mechanisms
6. International human rights law
7. Comparative law

IV.B.-Training activities

Type	Title
Practical / resolution of exercises	Practical activities
Practical / resolution of exercises	Group works



V.-Student workload		
Lecture classes	45	
Practical classes/resolution of exercises, case studies, etc.	5	
Practical sessions in technological laboratories, hospitals, etc.	0	
Tests	10	
Academic tutorials	48	
Related activities: conferences, seminars, etc.	0	
Preparation of lecture classes	20	
Preparation of practices, exercises, cases studies work	26	
Test preparation	26	
Total student workload	180	
VI.-Methodology and academic programme		
Type	Period	Content
Master classes	Week 1 to Week 12	Theoretical classes upon the syllabus. It is an on-site learning activity (OS).
Academic Tutorials	Week 1 to Week 12	Interaction between the student and the teacher, exchange of ideas and queries resolution upon the contents of the course, as well as case study activities. It is an on-site learning activity (OS)



VII.-Assessment methods

VII.A.-Assessment weighting

Continuous ordinary assessment:

The distribution and characteristics of the assessment tests are those described below. Only in exceptional case and for special reasons may the teacher add changes to the Guide. These changes will require the prior consultation with the Subject Head and the prior and explicit authorisation of the Degree Programme Coordinator, who will notify the Vice-Rector's office in charge of Academic Affairs of the modifications made. In any case, the changes proposed must take into account the stipulations of the verified report. In order for these changes to take effect, they must be duly communicated at the start of the course to the students using Aula Virtual.

The combination of activities that are not re-assessable cannot exceed 50% of the subject grade and, in general, cannot have a minimum grade (except for the case of laboratory or clinical work placements, where duly justified), and tests which exceed 60% of the subject weighting cannot be added.

Extraordinary assessment: Students who do not manage to pass the ordinary assessment, or who did not attend, will be subject to completion of an extraordinary assessment to verify their acquisition of the skills established in the guide, only for activities that are re-assessable.

Description of the tests for assessment and their weights.



The evaluation system according to which the professor will assess the achievements of the students in the so called "continuous evaluation", a system of evaluation that assesses the learning results all along the development of the course through different tests or assignments.

The development of the different evaluation activities and tests will be on site. In the event that the sanitary conditions worsened and the University so established, the evaluation tests will take place online in the framework of the contingency plan (CP). In any case, the professor and students will have at their disposal the Aula Virtual to facilitate the transmission and submission of files and resources.

ORDINARY CONTINUOUS EVALUATION:

The student will be qualified according to the tests, assignments and activities carried out throughout the course, during the ordinary evaluation and teaching period, in accordance with the weighting established in this Teaching Guide.

The weighting of the subject will be carried out as follows:

a) **60% Theory exam. Reevaluable test.** The exam will take place on site in full respect to the instructions provided by the University. Minimum grade: 4 out of 10 points.

b) **10% Individual or group work or assignments. Reevaluable test.** The professor will specify the development of these works, activities and assignments, which may be of mixed nature.

c) **10% written or oral test. Reevaluable test.**

d) **20% active participation. Non-reevaluative test because class attendance can only be checked during the relevant period of lectures.**

The dates within the ordinary evaluation period will be reflected in the Academic Calendar established by the University.

Extraordinary evaluation:

It will be carried out during the extraordinary evaluation period and will be used to evaluate the student's performance in the evaluation tests that appear as **re-evaluative** above, i. e. (a) (b) and (c). In other words, it will only be applied to those re-evaluative tests that the student failed to pass or to which the student did not present him or herself in the ordinary call. **The weighting criteria will be the same as in the ordinary evaluation.**

Important: it is not a substitute for continuous evaluation.

The dates of the extraordinary evaluation will be reflected in the Academic Calendar, which shall include those of all degrees of URJC, as well as the different modalities of performance.

VII.B. Assessment of students with an academic exemption

Student who wish to opt for this assessment will have to get an academic exemption for the subject, which they will have to request from the Dean or Director of the Centre which teaches their course. An academic exemption may be granted where the subjects own characteristics allow for it.

Subject with the possibility of an exemption: Yes



VII.C. Review of assessment tests

In accordance with the exam appeal regulations of the Universidad Rey Juan Carlos.

VII.D.-Students with a disability or special educational needs

Curricular adaptations for students with a disability or special educational needs will be determined by the Disabled Students Support Department, in accordance with the regulations governing the Disabled Students Support service, approved by the Universidad Rey Juan Carlos Council, in order to guarantee equal opportunities, inclusive treatment, universal accessibility and a greater guarantee of academic success.

For this purpose, this Department will have to issue a curricular adaptation report, therefore students with disabilities or special educational needs must contact the Department to analyse the different alternatives together.

VII.E.-Academic behaviour, academic integrity and honesty

The Universidad Rey Juan Carlos is completely committed to the highest standards of academic integrity and honesty. Therefore, studying at the URJC means you accept and agree to the academic integrity and honesty values described in the University's Code of Ethics. In order to monitor this procedure, the University has Regulations on academic behaviour at the Universidad Rey Juan Carlos and uses different tools (anti-plagiarism, supervision?) which provides a collective assurance that these essential values are completely developed



VII.-Bibliography

Reference Generic

ACADEMIC ARTICLES (syllabus order):

P. Dupuy (2020). "2000–2020: twenty years later, where are we in terms of the unity of international law?*", *Cambridge International Law Journal*, 9(1), 6-23.

C. Ryngaert, and S. Sobrie (2011). "Recognition of States: International Law or Realpolitik? The Practice of Recognition in the Wake of Kosovo, South Ossetia, and Abkhazia." *Leiden journal of international law* 24, no. 2: 467–490.

A. Imseis (2021). "On Membership of the United Nations and the State of Palestine: A Critical Account." *Leiden journal of international law* 34, no. 4: 855–878.

J. D'Aspremont (2019). "The Four Lives of Customary International Law".

M. Borovci (2018). "The Role of International Organizations in the Recognition and Non-Recognition of States in International Law." *Acta Universitatis Danubius. Juridica* 14, no. 2: 144–157.

N. Smetanin (2020). "Unilateral acts of states in international law: a general articulation of the issueL." *Elektronnoe priloenie k Rossijskomu ūridieskomu urnalu*.

M. Dimitrovska (2020). "The concept of international responsibility of State in the international public law system." *Journal of Liberty and International Affairs (Bitola)* 1, no. 2.

L. R. Blank (2020) "The Use of Force to Prevent Recurrence of Conflict: where are the limits of self-defense?" *Brooklyn law review* 86, no. 1.

J. Brunnée, and S. J. Toope (2018). "Self-defence against non-state actors: are powerful states willing but unable to change international law?" *The International and comparative law quarterly* 67, no. 2: 263–286.

D. Akande, and T. Liefländer (2013). "Clarifying Necessity, Imminence, and Proportionality in the Law of Self-Defense." *The American journal of international law* 107, no. 3: 563–570.

A. Theussen, (2021). "International Law Is Dead, Long Live International Law: The State Practice of Drone Strikes." *International politics (Hague, Netherlands)*.



ACADEMIC ARTICLES (syllabus order):

A. Yusuf (2013). "Diversity of Legal Traditions and International Law: Keynote Address", *Cambridge International Law Journal*, 2(4), 681-703.

NG, Kwai Hang, and B. Jacobson (2017). "How Global Is the Common Law? A Comparative Study of Asian Common Law Systems –Hong Kong, Malaysia, and Singapore." *Asian journal of comparative law* 12, no. 2: 209–232.

P. Stainer, and D. König (2018). "The Concept of Stare Decisis in the German Legal System –A Systematically Inconsistent Concept with High Factual Importance." *Studia Iuridica Lublinensia* 27, no. 1: 121–130.

NG, Kwai Hang (2011). "Is There a Chinese Common Law? An Empirical Study of the Bilingual Common-Law System of Hong Kong." *Journal of empirical legal studies* 8, no. 1: 118–146.

C. Kim, and C. M. (1979) Lawson. "The Law of the Subtle Mind: The Traditional Japanese Conception of Law." *The International and comparative law quarterly* 28, no. 3: 491–513.

Csajka-Vándor, Adrián (2020). "The Relationship Between the Islamic Legal System Sharia and European Continental Law." *Belügyi Szemle* 68, no. 1: 125–134.

A. Van Engeland (2014). "The Balance Between Islamic Law, Customary Law and Human Rights in Islamic Constitutionalism Through the Prism of Legal Pluralism", *Cambridge International Law Journal*, 3(4), 1321-1348.

JOURNALS (alphabetical order):

African journal of international and comparative law.

Asian journal of comparative law.

Cambridge journal of comparative law.

European journal of comparative law and governance.

Global journal of comparative law.

The international and comparative law quarterly.



COMPARATIVE LAW

BOOKS (in order of date of publication):

Bersier, Nicoletta, Christoph Bezemek, and Frederick F. Schauer (2022). *Common Law, Civil Law: the Great Divide?* Edited by Nicoletta Bersier, Christoph Bezemek, and Frederick F. Schauer. Cham, Switzerland: Springer.

M. Reimann and R. Zimmermann (2019). *The Oxford Handbook of Comparative Law*. Oxford: Oxford University Press. 2nd edition.

G. Mousourakis (2019). *Comparative law and Legal traditions*. Switzerland: Springer.

E. Munoz (2018). *Un Gran Viaje. Manual de Derecho Comparado*. Ciudad de Mexico: Tirant lo Blanch.

S. Farran, E. Orucu, S. P. Donlan (2017), *A study of mixed legal systems : endangered, entrenched or blended*. Routledge.

H. Patrick Glenn (2014). *Legal Traditions of the World. Sustainable diversity in Law*. Oxford: Oxford University Press.

O. Chase, O. (2011). *Sistemas de resolucion de controversias en un contexto intercultural, Derecho, Cultura y Ritual*. Madrid: Marcial Pons.

Werner F. Mensk (2010). *Comparative law in a global perspective*. Cambridge: Cambridge University Press.

W. Twining (2003). *Derecho y Globalizacion*. Bogota: Editorial Siglo de las Luces

R. David y J. E. C. Brierly (1988). *Major Legal Systems in the World Today. An Introduction to the Comparative Study of Law*. Nueva York: Simon & Schuster.

INTERNATIONAL LAW

BOOKS (in order of date of publication):

P. Gaeta, J. E. Viñuales and S. Zappalá (2020). *Cassese's International Law*. Oxford: OUP. 3rd ed.

J. A. Pastor Ridruejo *Curso de Derecho Internacional Publico y Organizaciones Internacionales*. Madrid: Tecnos, 2024

M. Evans (2018). *Public International Law*. Oxford: Oxford University Press.

P. Andres Saenz De Santa Maria (2018). *Sistema de Derecho Internacional Publico*. Navarra: Civitas.

United Nations (2017). *International Law Handbook*. New York: United Nations.

S. Besson and J d'Aspremont (2017). *The Oxford Handbook on the Sources of International Law*. Oxford: OUP.

Rebecca M. M. Wallace (2016). *International Law*. Londres: Sweet & Maxwell.

V. Lowe (2015). *International Law: A Very Short Introduction*. Oxford: OUP.

M. Diez de Velasco (2013). *Manual de Derecho Internacional Publico*. Madrid: Tecnos.



The professor will facilitate the required materials for following the course to the students.

The recommended general bibliography for the course is the following:

JOURNALS (alphabetical order):

European journal of international law.

Leiden journal of international law.

Revista española de derecho internacional.

Revista electrónica de estudios internacionales.

Reference literature

IX.-Lecturers/Teachers/Professors

Lecturer/teacher/professor´s name	ANA MARIA MARTIN BERINGOLA
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Subject Coordinator	No
Academic tutorial timetable	Para consultar las tutorias póngase en contacto con el/la profesor/a a través de correo electrónico
Nº of Quinquenios	0
Nº of Sexenio	0
Nº period for technology transfer	0
Stretch Docentia	0
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Nº of Quinquenios	0
Nº of Sexenio	0
Nº period for technology transfer	0
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Academic qualifications	Doctor
Subject Coordinator	No
Academic tutorial timetable	Para consultar las tutorias póngase en contacto con el/la profesor/a a través de correo electrónico
Nº of Quinquenios	1
Nº of Sexenio	0
Nº period for technology transfer	0
Stretch Docentia	1

