

MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE
WEST UKRAINIAN NATIONAL UNIVERSITY
LAW FACULTY

Approved

T.a. Dean of Faculty of Law
Nadja MOSKALYUK

« 31.08.2023 »



Approved

A. vice-rector for scientific and pedagogical work
O. OSTROVERKHOV

« 31.08.2023 »



Work program
discipline
«International public law (general part)»

Higher education degree - bachelor

Field of knowledge - 29 International relations

Specialty - 293 International law

Educational and professional program – «International law»

Department of International Law and Migration Policy

Form of study	Study year	Semester	Lectures	Practical classes	Individual work	Training, CPIT	Student -self study	Total	Exam/ Credit
Full- time	2	4	28	14	3	6	69	120	Exam

31.08.2023
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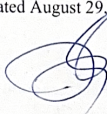
Ternopil – WUNU, 2023

The work program was developed on the basis of the educational and professional program for Bachelor's field of knowledge 29 International relations, specialty 293 International law (approved by the Academic Council of WUNU, Protocol No 9 from 15.06.2022).

The work program was prepared by the Head of the Department of International Law and Migration Policy, Dr. Yaryna ZHUKORSKA.

The work program was considered and approved at the meeting of the Department of International Law and Migration Policy, Protocol No. 1 dated August 29, 2023.

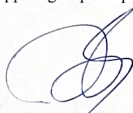
Head of Department



Yaryna ZHUKORSKA

Considered and approved by the Support group of specialty 293 International law, Protocol No. 1 dated August 31, 2023.

Head of the SGS



Yaryna ZHUKORSKA

Guarantor of EP



Liudmyla SAVANETS

STRUCTURE OF THE WORK PROGRAM OF THE EDUCATIONAL DISCIPLINE

«Public international law (general part)»

1. Description of the discipline «Public international law (general part)»

Discipline - International public law (general part)	Field of knowledge, specialty, educational and professional program, higher education degree	Characteristics of the educational discipline
The number of ECTS credits – 4	Field of knowledge - 29 «International relations»	Discipline status: normative Language of study: English
Number of credits modules - 4	Specialty – 293 «International law»	Year of study - 2 Semester – 4
Number of content modules – 2	Educational and Professional Program - 293 International Law	Lectures: - 28 hours. Practical classes - 14 hours.
Total hours - 120 hours	Higher education degree – Bachelor	Independent work - 69 hours, Training, CPIT - 6 hours. Individual work - 3 hours.
Weekly hours - 9 hours, of them classroom - 3 hours.		Type of final control - exam

2. The purpose and tasks of the discipline "Public international law (general part)".

2.1. The purpose of studying the discipline

The purpose of the discipline "Public international law (general part)" is a deep and thorough study by students of the basic principles of international legal regulation of interstate relations and means of solving international legal problems.

2.2. The task of studying the discipline

To form students' ability to analyze the situation in the international arena on the basis of international legal acts, taking into account real and potential challenges and threats; the ability to operate with basic categories, theories and concepts in the field of international law; determine the causes, types and nature of international conflicts and disputes, substantiate and apply legal and diplomatic methods and means of their resolution at the international level, defending the national interests of Ukraine.

2.3. Name and description of competences, the formation of which ensures the study of the discipline:

SC 1. Ability to critically understand the theories, principles, methods and concepts of international law, European law, comparative law, to take into account the temporal factor and to predict the main directions of development of legal systems.

SC 2. Ability to form judgments in the field of international, European, national law, comparative jurisprudence, taking into account social, scientific and ethical aspects.

SC 7. Ability to provide legal opinions and advice on issues of international public and private law, national law of Ukraine and the law of other states; to predict and assess legal risks of foreign policy and foreign economic initiatives and ways of their minimization.

SC 8. Ability to conduct discussions and debates on international and general legal issues, prepare cases for consideration in Ukrainian, foreign and international courts and arbitration tribunals.

2.4. Prerequisites for studying the discipline: Disciplines studied before studying the course:

Politology, Theory of state and law, History of international law.

2.5. Learning outcomes:

LO 1. Know and understand the basics of state foreign policy, the nature and dynamics of international relations, international cooperation at the universal and regional levels, identify the legal status of subjects of international relations and the nature of interaction between them.

LO 3. To know and understand the normative provisions, doctrines and principles of functioning of international and national legal systems, to analyze and qualify legal phenomena on this basis, to apply international legal norms and principles in the national legal system.

LO 6. To provide legal support for international public relations and international private relations, to protect the rights and interests of individuals and legal entities, as well as the national interests of the state of Ukraine, through international and national legal mechanisms.

LO 7. To use the case law of the European Court of Human Rights, other international judicial and arbitration bodies, theoretical knowledge of international and national law to substantiate and defend one's own position, to protect the client's interests and for other professional purposes.

LO 16. To know modern scientific achievements in the field of international and national law, to have skills in research work, to interpret the results of scientific research and to take them into account in practical professional activities.

LO 19. Independently determine educational goals and learning trajectories, find the necessary educational resources.

3. Content of the discipline "Public international law (general part)" **Content module 1.**

Topic 1. Norms and principles of international law

Concepts, characteristics and peculiarities of norms of international law. Types and classification of norms of international law. Hierarchy of norms of international law. Codification of norms of international law. The concept of "soft law" in international law. Interaction of norms of international law with norms of other social systems. Concepts and legal principles of implementation of norms of international law. Means, forms and content of implementation of norms of international law. International legal mechanism of implementation of norms of international law. The domestic mechanism of implementation of norms of international law. Principles of international law.

Topic 2. Correlation between international and domestic law

The problem of the relationship between international and domestic law. Theories of the relationship between international and domestic law. Concepts of harmonization of international and national legal norms.

Topic 3. International legal awareness and the international law-making process

The concept of international legal awareness. Factors of formation of international legal awareness. International economic relations as a factor of international legal awareness. Principles and progress of international law-making. The role of international organizations in international law-making. Informal factors of international law-making.

Topic 4. Subjects of international law

Concept of subjects of international law. Types of subjects of international law. The state as a universal subject of international law. Nations as a subject. The right to self-determination. "Kosovo precedent". International intergovernmental organizations. Peculiarities of legal personality of international intergovernmental organizations. State-like formations.

Topic 5. The individual in international law

The problem of individual legal personality in international law. The doctrine of legal personality of a natural person. International practice regarding the legal personality of a natural person.

Topic 6. Participants of international relations and problems of their legal personality

International legal personality of persons under the jurisdiction of states and state-like entities. International legal personality of legal entities. International legal personality of transnational corporations (TNCs). International non-governmental organizations as participants in international relations. Other atypical participants in international relations.

Topic 7. Recognition in international law

General principles of the concept of recognition in international law. State recognition: concepts, types, and theories. Recognition of governments: concepts, types, forms. Estrada doctrine. Doctrine of Tobar. Other types of recognition. Forms of recognition. Means and types of recognition.

Topic 8. Legal succession of states in international law

The concept of legal succession of states. Legal succession of states in relation to treaties. Legal succession of states in relation to state property. Legal succession of states regarding state archives. Legal succession of states regarding state debts. Legal succession of states regarding membership in international organizations. Problems of legal succession in connection with the termination of the existence of the USSR. Legal succession of Ukraine in connection with the termination of the existence of the USSR.

Content module 2.

Topic 9. International legal regulation of international relations

Concept of international legal regulation. System and process of international legal regulation. Stages of the process of international legal regulation.

Topic 10. Responsibility in international law

Concept, grounds and signs of international legal responsibility. Responsibility of states for internationally illegal acts. The concept of an internationally illegal act. Classification of international offenses. Subjects of international responsibility. Types of internationally illegal acts. Types and forms of international legal responsibility of states. Circumstances excluding the responsibility of states. Liability of states for harmful consequences of actions not prohibited by international law. Responsibility of international organizations.

Topic 11. Sanctions and countermeasures in international law

The concept and features of international legal sanctions. International legal sanctions in the UN system of collective security. International legal sanctions beyond the collective security of the UN. Countermeasures, scope, grounds for application.

Topic 12. International justice

Development of the idea of international justice. The main stages of the development of international justice. Types of bodies of international justice. Basic principles of international judicial institutions. UN International Court of Justice. European Court of Human Rights. International Criminal Court.

Topic 13. Jurisdiction and immunity of the state

Concepts and types of state jurisdiction. Principles of exercise of state jurisdiction. Jurisdictional immunities of the state and its property. Immunity of the highest officials of the state.

Topic 14. Population in international law

International jurisdiction over the population and natural persons. International legal issues of citizenship. Status of foreigners. Status of bipatris. Stateless status. Peculiarities of the institution of citizenship of the European Union. Legal status of refugees, forced migrants and displaced persons. The right of asylum.

Topic 15. Territory in international law

Concepts and types of territory in international law. The concept of territorial supremacy. Legal nature and composition of the state territory. Concepts, types and legal regime of state borders. Territorial disputes. Nuclear free zones. Legal status of the Arctic. Legal status of Antarctica.

4. The structure of credit from the discipline "Public international law (general part)"

№	Topic	Lectures	Practical classes	Student-self study	Training, CPIT	Individual work	Control events
Content module 1							
1.	Topic 1. Norms and principles of international law	2	1	4	3	1	Tests, questions
2.	Topic 2. Correlation between international and domestic law			4			Tests, questions
3.	Topic 3. International legal awareness and the international law-making process	1	1	4			Tests, questions
4.	Topic 4. Subjects of international law	2	1	4			Tests, questions, cases
5.	Topic 5. The individual in international law	1	1	4			Tests, questions, cases
6.	Topic 6. Participants of international relations and problems of their legal personality	2	1	4			Tests, questions
7.	Topic 7. Recognition in international law	2	1	5			Tests, questions, cases
8.	Topic 8. Legal succession of states in international law	2	1	5			Tests, questions, cases
Content module 2							
9.	Topic 9. International legal regulation of international relations	2	1	5	3	2	Tests, questions
10.	Topic 10. Responsibility in international law	2	1	5			Tests, questions, cases
11.	Topic 11. Sanctions and countermeasures in international law	2	1	5			Tests, questions, cases
12.	Topic 12. International justice	2	1	5			Tests, questions, cases
13.	Topic 13. Jurisdiction and immunity of the state	2	1	5			Tests, questions
14.	Topic 14. Population in international law	2	1	5			Tests, questions, cases
15.	Topic 15. Territory in international law	2	1	5			Tests, questions, cases
	Total	28	14	69	6	3	-

5. Topics of practical classes.

Content module 1

Practical lesson No. 1

Topic 1. Norms and principles of international law

Purpose: study of the peculiarities of norms of international law.

Questions for discussion:

Concepts, characteristics and peculiarities of norms of international law. Types and classification of norms of international law. Hierarchy of norms of international law. Codification of norms of international law. The concept of "soft law" in international law. Interaction of norms of international law with norms of other social systems. Concepts and legal principles of implementation of norms of international law. Means, forms and content of implementation of norms of international law. International legal mechanism of implementation of norms of international law. The domestic mechanism of implementation of norms of international law. Principles of international law.

Topic 2. Correlation between international and domestic law

Purpose: study of the relationship between international and domestic law.

Questions for discussion:

The problem of the relationship between international and domestic law. Theories of the relationship between international and domestic law. Concepts of harmonization of international and national legal norms.

Topic 3. International legal awareness and the international law-making process

Purpose: study of international legal awareness and international law-making process.

Questions for discussion:

The concept of international legal awareness. Factors of formation of international legal awareness. International economic relations as a factor of international legal awareness. Principles and progress of international law-making. The role of international organizations in international law-making. Informal factors of international law-making.

Practical lesson No. 2

Topic 4. Subjects of international law

Purpose: study of the concept, types and other characteristics of subjects of international law.

Questions for discussion:

Concept of subjects of international law. Types of subjects of international law. The state as a universal subject of international law. Nations as a subject. The right to self-determination. "Kosovo precedent". International intergovernmental organizations. Peculiarities of legal personality of international intergovernmental organizations. State-like formations.

Topic 5. The individual in international law

Purpose: study of the status and place of the individual in international law.

Questions for discussion:

The problem of individual legal personality in international law. The doctrine of legal personality of a natural person. International practice regarding the legal personality of a natural person.

Practical lesson No. 3

Topic 6. Participants of international relations and problems of their legal personality

Purpose: study of the status and place of other participants in international relations and the problem of their legal personality

Questions for discussion:

International legal personality of persons under the jurisdiction of states and state-like entities. International legal personality of legal entities. International legal personality of transnational corporations (TNCs). International non-governmental organizations as participants in international relations. Other atypical participants in international relations.

Topic 7. Recognition in international law

Purpose: study of recognition in international law

Questions for discussion:

General principles of the concept of recognition in international law. State recognition: concepts, types, and theories. Recognition of governments: concepts, types, forms. Estrada doctrine. Doctrine of Tobar. Other types of recognition. Forms of recognition. Means and types of recognition.

Practical lesson No. 4

Topic 8. Legal succession of states in international law

Purpose: study of legal succession of states in international law

Questions for discussion:

The concept of legal succession of states. Legal succession of states in relation to treaties. Legal succession of states in relation to state property. Legal succession of states regarding state archives. Legal succession of states regarding state debts. Legal succession of states regarding membership in international organizations. Problems of legal succession in connection with the termination of the existence of the USSR. Legal succession of Ukraine in connection with the termination of the existence of the USSR.

Content module 2.

Topic 9. International legal regulation of international relations

Purpose: study of international legal regulation of international relations

Questions for discussion:

Concept of international legal regulation. System and process of international legal regulation. Stages of the process of international legal regulation.

Practical lesson No. 5

Topic 10. Responsibility in international law

Purpose: study of responsibility in international law

Questions for discussion:

Concept, grounds and signs of international legal responsibility. Responsibility of states for internationally illegal acts. The concept of an internationally illegal act. Classification of international offenses. Subjects of international responsibility. Types of internationally illegal acts. Types and forms of international legal responsibility of states. Circumstances excluding the responsibility of states. Liability of states for harmful consequences of actions not prohibited by international law. Responsibility of international organizations.

Topic 11. Sanctions and countermeasures in international law

Purpose: harmonization of sanctions and countermeasures in international law

Questions for discussion:

The concept and features of international legal sanctions. International legal sanctions in the UN system of collective security. International legal sanctions beyond the collective security of the UN. Countermeasures, scope, grounds for application.

Practical lesson No. 6

Topic 12. International justice

Purpose: study of international justice

Questions for discussion:

Development of the idea of international justice. The main stages of the development of international justice. Types of bodies of international justice. Basic principles of international judicial institutions. UN International Court of Justice. European Court of Human Rights. International Criminal Court.

Topic 13. Jurisdiction and immunity of the state

Purpose: research on the jurisdiction and immunity of the state

Questions for discussion:

Concepts and types of state jurisdiction. Principles of exercise of state jurisdiction. Jurisdictional immunities of the state and its property. Immunity of the highest officials of the state.

Practical lesson No. 7

Topic 14. Population in international law

Purpose: population research in international law

Questions for discussion:

International jurisdiction over the population and natural persons. International legal issues of citizenship. Status of foreigners. Status of bipatris. Stateless status. Peculiarities of the institution of citizenship of the European Union. Legal status of refugees, forced migrants and displaced persons. The right of asylum.

Topic 15. Territory in international law

Purpose: study of territory in international law

Questions for discussion:

Concepts and types of territory in international law. The concept of territorial supremacy. Legal nature and composition of the state territory. Concepts, types and legal regime of state borders. Territorial disputes. Nuclear free zones. Legal status of the Arctic. Legal status of Antarctica.

6. Complex practical individual task

- preparation of a scientific article or theses of a scientific report for publication;
- participation in Internet conferences;
- participation in student Olympiads;
- writing essays, performing creative tasks;
- participation in a team project.

The type of CPIT is agreed with each student individually.

CPIT topics are also agreed individually.

7. Independent work

Independent work, as one of the forms of assimilation of educational material in the time free from compulsory classes and without the participation of the teacher, involves the personal-oriented organization of the student's self-education. The organization of independent work requires special attention, because part of the questions of each topic are submitted for independent study by students, and the material intended for learning during independent work is submitted for the exam. Independent work is ensured by the necessary educational and methodical means (including lecture notes, educational and methodical developments for independent study of the discipline, periodicals). Students have the opportunity to study the educational material independently in the library, classrooms and computer classrooms using the Internet, as well as at home (when receiving the appropriate package of educational and methodological literature).

№	Topic
1	Norms and principles of international law.
2	Correlation of international and domestic law.
3	International legal awareness and the international law-making process.
4	Subjects of international law
5	An individual in international law
6	Participants of international relations and problems of their legal personality.
7	Recognition in international law.
8	Legal succession of states in international law.
9	International legal regulation of international relations.
10	Responsibility in international law
11	Sanctions and countermeasures in international law.
12	International justice.
13	Jurisdiction and immunity of the state.
14	Population in international law.
15	Territory in international law.

8. Organization and conduct of training

Topics of the training:

1. International legal analysis of the current situation in the international arena.
2. Sanctions and countermeasures as a means of coercion in international law.

Training procedure:

1. Familiarize yourself with the prerequisites.
2. To analyze the peculiarities and their impact on the development of international law.
3. Present the results of the analysis in the form of a team project (for example, a simulated court session, a discussion platform).

8. Assessment tools and methods of demonstrating learning outcomes

In the process of studying the discipline "Public international law (general part)" evaluation tools and methods of demonstrating learning results are used: current survey; credit module survey; team projects; analytical reports, abstracts, essays; presentations of the results of completed tasks and research; rector's control work. The final form of control is an exam. When studying the academic discipline "Public international law (general part)", the following teaching methods are used: lectures, practical classes, individual classes, performing scientific works under the guidance of a teacher.

9. Criteria, forms of current and final control

The final score (on a 100-point scale) from the discipline "Public international law (general part)" is determined as a weighted average, depending on the specific weight of each credit component:

Credit module 1	Credit module 2	Credit module 3	Credit module 4
20%	20%	20%	40%
1. Oral survey during classes (1-8 topics of 5 points each) – 40 points. 2. Written work - 60 points.	1. Oral survey during classes (9-15 topics of 5 points each) – 35 points. 2. Written work - 65 points.	Preparation of CPIT - max. 40 points. Protection of CPIT - max. 40 points Participation in trainings - max. 20 points	Theoretical questions (2 questions) - 30 each points, max. 60 points Case (1 case) – max. 40 points

Rating scale:

According to the scale of the University	On a national scale	According to the ECTS scale
90-100	perfectly	A (excellent)
85-89	fine	B (very good)
75-84	fine	C (good)
65-74	satisfactorily	D (satisfactory)
60-64	satisfactorily	E (enough)
35-59	unsatisfactorily	FX (unsatisfactory with possibility of reassembly)
1-34	unsatisfactorily	F (unsatisfactory with mandatory repeat course)

11. Tools, equipment and software, the use of which provides for the educational discipline

No	Name	Topic number
1.	Flipchart	1-15
2.	Laptop	1-15
3.	Projector	1-15
4.	Smart TV	1-15

RECOMMENDED SOURCES OF INFORMATION:

I International legal acts.

1. Віденська конвенція про консульські зносини і факультативні протоколи від 24.04.1963 р.
2. Віденська конвенція про право міжнародних договорів між державами і міжнародними організаціями або між міжнародними організаціями 1986 р.
3. Віденська конвенція про правонаступництво держав стосовно договорів 1978 р.
4. Віденська конвенція про правонаступництво держав щодо державної власності, державних архівів і державних боргів 1983 р.
5. Віденська конвенція про представництво держав в їх відносинах з міжнародними організаціями універсального характеру від 14.03.1975 р.
6. Вестфальський мирний договір від 24 жовтня 1648 р.
7. Віденська конвенція про дипломатичні зносини від 18.04.1961р.
8. Віденська конвенція про право міжнародних договорів. 1969 р.
9. Декларація про принципи міжнародного права, що стосуються дружніх відносин і співробітництва між державами у відповідності до статуту ООН від 24.10.1970 р.
10. Договір про Антарктику 1959 р.
11. Договір про всезагальну заборону ядерних випробувань від 24.09.1996 р.
12. Додатковий протокол No 1 до Женевських конвенцій від 12.08.1949 р., щодо захисту жертв міжнародних збройних конфліктів.
13. Додатковий протокол No 2 до Женевських конвенцій від 12.08.1949 р., щодо захисту жертв конфліктів міжнародного характеру.
14. Загальна декларація прав людини 1948 р.
15. Конвенція ООН з морського права 1982 р.
16. Конвенція про незастосування строку давності до воєнних злочинів і злочинів проти людяності 1968 р.
17. Конвенція про привілеї та імунітети ООН від 1946 р.
18. Конвенція про спеціальні місії від 1969 р.
19. Конвенція проти катувань та інших жорстоких, нелюдських або таких, що принижують гідність, видів поведження і покарання від 1984р.
20. Консульський Статут України від 2 квітня 1994 р.
21. Міжнародна конвенція про боротьбу з вербуванням, використанням, фінансуванням і навчанням найманців, 1989 р.
22. Міжнародний пакт про громадянські та політичні права 1966 р.
23. Міжнародний пакт про економічні, соціальні і культурні права 1966 р.
24. Про міжнародні договори України. Закон України від 29 червня 2004 р.
25. Про правонаступництво України. Закон України від 12 вересня 1993 р.
26. Римський статут Міжнародного кримінального суду 1998 р.
27. Статут Організації Об'єднаних Націй 1945 р.

II. Basic literature

1. Антонович М. Міжнародне публічне правою. К.: Юрінком Інтер, 2011. 384 с.
2. Задорожній О. В. Анексія Криму – міжнародний злочин: монографія. Укр.асоц. міжн. права, Ін-т міжн. відносин Київ. нац. ун-ту імені Т. Шевченка, каф. міжнар. права. Київ: К.І.С., 2015. 678 с.
3. Задорожній О. В. Генеза міжнародної правосуб'єктності України: монографія. Укр. асоц. міжнар. права, Ін-т міжнар. відносин Київ. нац. ун-ту імені Т. Шевченка, каф. міжнар. права. Київ: К.І.С., 2014. 688 с.
4. Задорожній О. В. Міжнародне право в міждержавних відносинах України і Російської Федерації 1991–2014: монографія. Укр. асоц. міжнар. права, Ін-т міжнар. відносин Київ. нац. ун-ту імені Т. Шевченка, каф. міжнар. права. Київ: К.І.С., 2014. 960 с.
5. Задорожній О.В. Порухення агресивною війною Російської Федерації проти України основних принципів міжнародного права: монографія. Укр. асоц. міжнар. права, Ін-т міжнар. відносин Київ. нац. ун-т ім. Т. Шевченка, каф. міжнар. права. Київ: К.І.С., 2015. 712 с.

6. Матіас Гердеген. Міжнародне право / пер. з німецької. К., 2011.
7. Міжнародне право: Підручник. — 6-те вид., випр. і доп. Рекомендовано МОН/ Черкес М.Ю. К., 2011. 397 с.
8. Міжнародне публічне право : підручник : у 2 т. В. В. Мицик, М. В. Буроменський, О. В. Буткевич та ін.; за ред. В. В. Мицика. Харків: Право, 2019. Т.2.: Основні галузі. 2019. 624 с.
9. Міжнародне публічне право : підручник: у 2 т. В. В. Мицик, М. В. Буроменський, О. В. Буткевич та ін.; за ред. В. В. Мицика. Харків : Право, 2019. Т.1.: Основи теорії. 2019. 416 с.
10. Міжнародне публічне право: навчально-методичний посібник. За ред Андрейченко. Одеса: Фенікс, 2021. 320 с.
11. Міжнародне публічне право. Основні галузі та інститути. Навчально-методичний посібник. За ред Андрейченко. Одеса: Фенікс, 2021. 292 с.
12. Сироїд Т. Л. Міжнародне публічне право: підручник. Одеса:Фенікс, 2018. 744 с.
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