

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

**Approved**

Acting Dean of the Faculty of Law

  
 \_\_\_\_\_  
 Nadiia MOSKALYUK  
 « \_\_\_\_ » \_\_\_\_\_ 2023

**Approved**

Acting Vice Rector

for Academic Affairs and Research

  
 \_\_\_\_\_  
 Viktor OSTROVERKHOV  
 « \_\_\_\_ » \_\_\_\_\_ 2023

**WORK PROGRAM**

discipline

**« Law of international responsibility and international justice »**

Higher education degree – master

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	Semes-ter	Lectu-res	Practi-cal classes	Indi-vidual work	Trai-ning	Student -self study	Total	Exam/ Credit
Full-time	II	3	24	24	5	4	93	150	Exam, 3

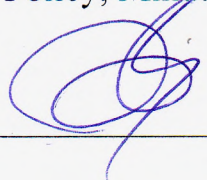
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Ternopil – WUNU, 2023

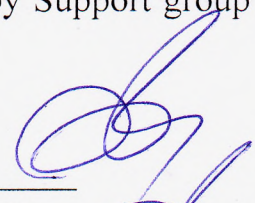
The work program was developed on the basis of the educational and professional program for Master's field of knowledge 29 International relations, specialty 293 International law, approved by the Academic Council of WUNU, Minutes № 9 from June 15, 2022.

The work program was prepared by head of the Department of International Law and Migration Policy, PhD., Assoc. prof. Yaryna ZHUKORSKA

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

Head of Department  Yaryna ZHUKORSKA

Considered and approved by Support group of specialty International Law, Minutes № 1 dated August 31, 2023.

Head of Support Group  
of specialty  Yaryna ZHUKORSKA

Guarantor EP  Yaryna ZHUKORSKA

**STRUCTURE OF THE WORK PROGRAM OF THE DISCIPLINE  
“LAW OF INTERNATIONAL RESPONSIBILITY AND INTERNATIONAL JUSTICE”**

**1. Description of the discipline "Law of international responsibility and international justice "**

<b>The discipline "Law of international responsibility and international justice"</b>	<b>Field of knowledge, specialty, educational and professional program, higher education degree</b>	<b>Characteristics of the educational discipline</b>
Quantity of ECTS credits – 5	Field of knowledge - 29 International relations	Discipline status: normative Language of study: English
Quantity of credit modules – 4	Specialty – 293 International law	Year of study - 2 Semester – 3
Number of content modules – 2	Educational and Professional Program - International Law	Lectures – 24 hours. Practical classes – 24 hours.
Total number of hours – 150 hours.	Higher education degree – master	Student-self study – 97 hours, of which the training is 4 hours. Individual work – 5 hours.
Weekly hours – 19 hours, of which classroom hours – 6 hours		Type of final control – exam

**Purpose and objectives of the discipline «Law of international responsibility and international justice»**

**2.1. Purpose of studying the discipline «Law of international responsibility and international justice»:**

To form an understanding of the essence of the law of international responsibility as an important branch of international public law; demonstrate the role of international responsibility as an important influencing factor on the development of international relations and the modern international legal order; determine the place and role of international judicial bodies in the regulation of international relations.

**2.2. Tasks of studying the discipline:** to form the ability to: identify, formulate and evaluate problems in the field of international responsibility, apply international justice as a tool, means and method of solving the most important conflicts (disputes, situations); thoroughly research modern problems of responsibility in international law, rethink its content and development trends; understand and analyze gaps in the law of international responsibility; to be able to form a legal position; operate with a specific categorical apparatus, modern theories and concepts.

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

SK 7. Ability to represent the interests of Ukraine or individuals and legal entities in international judicial institutions, arbitrations, national courts of foreign countries.

SK 14. The ability to understand the nature of responsibility in international law and the mechanisms of its implementation.

**2.4. Prerequisites for studying the discipline.**

Assimilation of knowledge according to the program of the unified Professional Entrance Test.

## **2.5. Learning outcomes.**

PRE 6. Protect the interests of one's own state in national courts, international commercial arbitrations, international courts and organizations, in particular integration ones, at international conferences.

PRE 17. To analyze the consequences of internationally illegal acts and the mechanisms of bringing subjects to responsibility, as well as the means of realizing responsibility in international law.

## **3. PROGRAM OF THE ACADEMIC DISCIPLINE** **"Law of international responsibility and international justice"** **Content module 1.**

### **Topic 1. International legal responsibility: concepts, stages of formation and development.**

Legal responsibility. Concept of legal responsibility, main features. Basic concepts of legal responsibility. The concept of international legal responsibility. The concept of the law of international responsibility, principles. Peculiarities of the law of international responsibility. Legal and factual circumstances of international responsibility. Stages of formation of the law of international responsibility. Codification of the law of international responsibility.

### **Topic 2. Internationally illegal act.**

The concept of an internationally illegal act. Elements of an internationally illegal act. Determination of violation of the subject's international obligation. Qualification of behavior of offenders.

### **Topic 3. International crime: concepts, types, composition.**

International offenses of states: concepts, types. The composition of an international offense: the importance of the element of guilt and causation.

### **Topic 4. Responsibility of states in international law.**

Concepts and grounds of state responsibility in international law. Responsibility of states for internationally illegal acts. Elements of an internationally illegal act of the state. Responsibility of states in connection with the action of another state. Serious violations of obligations arising from mandatory norms of general international law. Determination of the violation of the state's international obligation in the field of human rights protection. Elements of the internationally illegal act of states regarding the violation of obligations in the field of human rights protection.

### **Topic 5. Responsibility of international intergovernmental organizations.**

International crimes committed by international organizations. International torts. Types and forms of responsibility of international intergovernmental organizations. Internal judicial procedure of international organizations. Grounds of responsibility of international non-governmental organizations.

### **Topic 6. Application of coercion in international law. Countermeasures and sanctions as means of realizing the international responsibility of states.**

The problem of coercion in international law. Countermeasures: purpose and conditions of application. Obligations not affected by countermeasures. Proportionality of countermeasures. Conditions for the use of countermeasures. Cessation of countermeasures. Measures applied by non-victim States. Sanctioned international legal norms and sanctioned international legal relations. Addressees of international sanctions. Activities of the Ombudsman within the UN sanctions regimes. Implementation of the regime of international sanctions and the domestic level. Suspension of application of international sanctions.

**Topic 7. Problems of the effectiveness of the implementation of international responsibility.** Development trends of the institute of international responsibility.

Raising the question about the effectiveness of the implementation of international responsibility. Problematic aspects of the application of UN international sanctions. Ways to improve the effectiveness of UN international sanctions. Development trend of the institute of international responsibility.

#### **Content module 2.**

**Topic 8. Development of the law of international responsibility in the practice of international justice bodies.**

The law of international responsibility in the judicial practice of the UN International Court of Justice. The case of the Corfu Strait. Consultative decisions of the UN Security Council. The practice of the UN IC as a factor in the formation of the law of international responsibility. Practice of other judicial institutions regarding responsibility in international law.

**Topic 9. Decisions of international judicial bodies regarding territorial disputes.**

Concepts and types of territorial disputes. The main problems and trends of international judicial institutions regarding the resolution of territorial disputes. The decision of the UN International Court of Justice as an influential factor for the resolution of territorial disputes. The process of Romania against Ukraine regarding the delimitation of the maritime borders of the exclusive economic zone and the division of the continental shelf in the Black Sea in the area of Zmiiny Island.

**Topic 10. Interstate cases in the practice of the European Court of Human Rights.**

Institute of Interstate Statements/Complaints for the Protection of Human Rights. Provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950 regarding the procedure for submitting an interstate complaint. Practice of the European Court of Human Rights regarding consideration of interstate complaints. Ukraine's practice of submitting interstate applications to the ECtHR.

**Topic 11. Development of international humanitarian law in the practice of international judicial bodies.**

The practice of the International Criminal Court and the prospects for resolution by this body of cases related to violations of the norms of international humanitarian law. Practice of international ad hoc tribunals. Creation and activity of global investigative mechanisms within the framework of the UN. The activity of international judicial bodies as a preventive factor in committing violations of the norms of international humanitarian law.

**Topic 12. Protection of national interests of the state in the bodies of international justice.**

Prerequisites and historical aspects of the protection of national interests of the state in the bodies of international justice. Representation of the state in bodies of international justice. Analysis of the practice of Ukraine regarding the protection of its national interests in the bodies of international justice. Prospects, gaps and trends in the protection of national interests of the state.

#### 4. Structure of the credit in the discipline "Law of international responsibility and international justice"

Topics	Lectures	Practical classes	Self work	Individual work	Control measures
	<b>Content Module 1</b>				
Topic 1. International legal responsibility: concepts, stages of formation and development.	2	2	8	2	Tests, questions
Topic 2. Internationally illegal act.	2	2	8		Tests, questions
Topic 3. International crime: concepts, types, composition.	2	2	8		Tests, questions
Topic 4. Responsibility of states in international law.	2	2	8		Tests, questions
Topic 5. Responsibility of international intergovernmental organizations.	2	2	8		Tests, questions
Topic 7. Problems of the effectiveness of the implementation of international responsibility. Development trends of the institute of international responsibility.	2	2	8		Tests, questions
<b>Content Module 2</b>					
Topic 8. Development of the law of international responsibility in the practice of international justice bodies.	2	2	8	3	Tests, questions
Topic 9. Decisions of international judicial bodies regarding territorial disputes.	2	2	8		Tests, questions
Topic 10. Interstate cases in the practice of the European Court of Human Rights.	2	2	8		Tests, questions
Topic 11. Development of international humanitarian law in the practice of international judicial bodies.	2	2	8		Tests, questions
Topic 12. Protection of national interests of the state in the bodies of international justice.	2	2	9		Tests, questions
<b>TOTAL</b>	<b>24</b>	<b>24</b>	<b>97</b>		<b>5</b>

## **5. Topics of practical classes in the discipline «Law of international responsibility and international justice»**

### **Practical class № 1**

**Topic: International legal responsibility: concepts, stages of formation and development.**

**Purpose:** Gain knowledge about the concept of international responsibility, the stages of its formation and development.

**Questions for discussion:**

1. Concept of legal responsibility, main features. Basic concepts of legal responsibility.
2. The concept of international legal responsibility.
3. The concept of the law of international responsibility, principles.
4. Peculiarities of the law of international responsibility.
5. Legal and factual circumstances of international responsibility.
6. Stages of formation of the law of international responsibility.
7. Codification of the law of international responsibility.

### **Practical class № 2**

**Topic: Internationally illegal act.**

**Purpose:** To gain knowledge about the concept, elements of an internationally illegal act, qualification of the behavior of offenders.

**Questions for discussion:**

1. The concept of an internationally illegal act. Elements of an internationally illegal act.
2. Determination of violation of the subject's international obligation.
3. Qualification of behavior of offenders.

### **Practical class № 3**

**Topic: International crime: concepts, types, composition.**

**Purpose:** To gain knowledge about the types of international crimes committed by states, the composition of international crimes.

**Questions for discussion:**

1. International offenses of states: concepts, types.
2. Composition of an international offense.
3. The importance of the element of guilt and causation in an international offense.
4. Circumstances exempting from international legal responsibility.

### **Practical class № 4**

**Topic: Responsibility of states in international law.**

**Purpose:** To gain knowledge about the basic principles and features of the responsibility of states as a universal subject.

**Questions for discussion:**

1. Concepts and grounds of state responsibility in international law.
2. Responsibility of states for internationally illegal acts.
3. Elements of an internationally illegal act of the state.
4. Responsibility of states in connection with the action of another state.
5. Serious violations of obligations arising from mandatory norms of general international law.
6. Determination of the violation of the state's international obligation in the field of human rights protection. Elements of the internationally illegal act of states regarding the violation of obligations in the field of human rights protection.

### **Practical class № 5**

**Topic: Responsibility of international intergovernmental organizations.**

**Purpose:** To gain knowledge about the basic principles and features of responsibility of international organizations.

**Questions for discussion:**

1. International crimes committed by international organizations.
2. International torts.
3. Types and forms of responsibility of international intergovernmental organizations.
4. Internal judicial procedure of international organizations.
5. Grounds of responsibility of international non-governmental organizations.

**Practical class № 6**

**Topic: Application of coercion in international law. Countermeasures and sanctions as means of realizing the international responsibility of states.**

**Purpose:** To gain knowledge about the means of implementing the international responsibility of states, as well as the means of coercion in international law.

**Questions for discussion:**

1. The problem of coercion in international law.
2. Countermeasures: purpose and conditions of application.
3. Measures applied by non-victim states.

**Practical class № 7**

**Topic: Problems of the effectiveness of the implementation of international responsibility. Development trends of the institute of international responsibility.**

**Purpose:** To gain knowledge about the trends in the development of the institution of international responsibility, to understand the problems of the effectiveness of the implementation of international responsibility.

**Questions for discussion:**

1. Asking the question about the effectiveness of the implementation of international responsibility.
2. Problematic aspects of the application of UN international sanctions.
3. Ways to improve the effectiveness of UN international sanctions.
4. Development trend of the institute of international responsibility.

**Content module 2.**

**Practical class № 8**

**Topic: Development of the law of international responsibility in the practice of international justice bodies.**

**Purpose:** To know and understand the influence of the practice of international justice bodies on the development of the law of international responsibility.

**Questions for discussion:**

1. The law of international responsibility in the judicial practice of the UN International Court of Justice.
2. The case of the Corfu Strait.
3. Consultative decisions of the UN Security Council.
4. The practice of the UN IC as a factor in the formation of the law of international responsibility.
5. Practice of other judicial institutions regarding responsibility in international law.

**Practical class № 9**

**Topic: Decisions of international judicial bodies regarding territorial disputes.**



**Purpose:** To understand the trends in the resolution of cases regarding territorial disputes by international judicial bodies.

**Questions for discussion:**

1. Concepts and types of territorial disputes.
2. The main problems and trends of international judicial institutions regarding the resolution of territorial disputes.
3. The decision of the UN International Court of Justice as an influential factor for resolving territorial disputes.
4. The process of Romania against Ukraine regarding the delimitation of the maritime borders of the exclusive economic zone and the division of the continental shelf in the Black Sea in the area of Zmiiny Island.

**Practical class № 10**

**Topic: Interstate cases in the practice of the European Court of Human Rights.**

**Purpose:** To gain knowledge about interstate cases in the ECtHR and their features.

**Questions for discussion:**

1. Institute of interstate application/complaint regarding the protection of human rights. Provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950 regarding the procedure for submitting an interstate complaint.
2. Practice of the European Court of Human Rights regarding consideration of interstate complaints.
3. Ukraine's practice of submitting interstate applications to the ECHR.

**Practical class № 11**

**Topic: Development of international humanitarian law in the practice of international judicial bodies.**

**Purpose:** To know and understand the influence of the practice of international justice bodies on the development of international humanitarian law.

**Questions for discussion:**

1. The practice of the International Criminal Court and the prospects for resolution by this body of cases related to the violation of the norms of international humanitarian law.
2. Practice of international ad hoc tribunals.
3. Creation and operation of global investigative mechanisms within the framework of the UN.
4. The activity of international judicial bodies as a preventive factor in committing violations of the norms of international humanitarian law.

**Practical class № 12**

**Topic: Protection of the national interests of the state in the bodies of international justice.**

**Purpose:** To understand the ways, means and mechanisms of protection of national interests in the bodies of international justice.

**Questions for discussion:**

1. Prerequisites and historical aspects of the protection of national interests of the state in the bodies of international justice.
2. Representation of the state in bodies of international justice.
3. Analysis of Ukraine's practice of protecting its national interests in international justice bodies.
4. Prospects, gaps and trends in the protection of national interests of the state.

## **6. Complex practical individual task in the discipline « Law of international responsibility and international justice»**

Complex practical individual task (CPIT) in the discipline "International Criminal Law " provides for the implementation of various forms of individual work by students and the formation of an individual student portfolio, including:

- - 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. OUTCLASSES WORK IN THE DISCIPLINE « Law of international responsibility and international justice»**

	<b>Topics</b>
1.	Responsibility in international law: problems of codification and progressive development of norms and principles of international legal responsibility.
2.	The UN's application of international sanctions as a form of implementation of international responsibility for violations of obligations in the field of human rights protection.
3.	The concept of "state crimes" in the doctrine of international law and international practice.
4.	International legal grounds for intervention in the internal affairs of states on matters relating to the protection of human rights.
5.	International offenses.
6.	International torts.
7.	International crimes.
8.	The practice of the UN International Court of Justice on the issue of compensation for damage caused as a result of internationally illegal acts of states
9.	Responsibility for lawful actions.
10.	Circumstances exempting from international legal responsibility.

## **8. Training in the discipline «Law of international responsibility and international justice»**

Training in the discipline «Law of international responsibility and international justice» is conducted during the academic week, contains a combination of independent work of students and classroom work under the guidance of a teacher and is based on the topic of independent work and materials of complex practical individual tasks.

1 Simulated meeting "Protection of national interests of the state" (in the context of events).

2 What is more effective: proceedings by the International Criminal Court or international ad hoc tribunals (comparative analysis of one of the ad hoc tribunals and the ICC cases)

3 Peculiarities of the application of countermeasures and sanctions (in the context of events in the international arena).

4 Simulated situation of committing a crime by the state, bringing it to justice. The plot agrees in the context of events.

Training procedure

1. Get acquainted with the principles of activity of a specific body of international justice.

2. To analyze the peculiarities of its activity and practice.
3. Present the results of the analysis in the form of a team or individual project.

### 9. Assessment tools and methods for demonstrating learning outcomes

In the process of studying the discipline "Law of international responsibility and international justice", 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 " Law of international responsibility and international justice ", the following teaching methods are used: lectures, seminar classes, individual classes, performing scientific works under the guidance of a teacher.

### 10. Criteria and forms of current and final control

The final score (on a 100-point scale) in the discipline «Law of international responsibility and international justice» is defined as a weighted average value, depending on the specific weight of each component of the credit score:

Credit module 1	Credit module 2	Credit module 3	Exam	Total
20	20	20	40	100%
Oral survey during classes (1-7 topics) - 5 points per topic - max. 35 points Modular control work - max. 65 points	Oral survey during classes (8-12 topics) - 6 points per topic - max. 30 points Modular control work - max. 70 points	Preparation of CPIT - max. 40 points. Protection of CPIT - max. 40 points Participation in trainings - max. 20 points	Theoretical questions (2 questions) – 30 points each, max. 60 points Case (1 case) - max. 40 points	

### Rating scale:

By the WUNU scale	By the national rating scale	By the ECTS scale
90–100	excellent	A (excellent)
85–89	good	B (very good)
75-84		C (good)
65-74	satisfactory	D (satisfactory)
60-64		E (sufficient)
35-59	unsatisfactory	FX (unsatisfactory with the possibility of re-examination)
1-34		F (unsatisfactory with a mandatory repeat course)

### 11. Tools, equipment and software that the academic discipline provides for

№	Description	Topic number
1.	Flipchart	Topics 1-12
2.	Laptop	Topics 1-12
3.	Projector	Topics 1-12
4.	Set of presentation materials	Topics 1-12

### RECOMMENDED SOURCES OF INFORMATION

1. Analytical Guide to the Work of the International Law Commission. State responsibility  
URL: [https://legal.un.org/ilc/guide/9\\_6.shtml#top](https://legal.un.org/ilc/guide/9_6.shtml#top)
2. Close Josepha. *Amnesty, Serious Crimes and International Law: Global Perspectives in Theory and Practice*. 2019. 316 p.
3. Creutz K. *State Responsibility in the International Legal Order: A Critical Appraisal*. 2020. 384 p.
1. Masahiko Asada. *Economic Sanctions in International Law and Practice*. 2021. 272 p.
4. Natalie Oman. *The Responsibility to Protect in International Law. Philosophical Investigations*. 2020. 206 p.
2. Pablo Kalmanovitz. *The Laws of War in International Thought*. 2020. 208 p.
5. *Reflections on Role Responsibility: The Responsibility of International Organizations for Failing to Act* URL: <https://academic.oup.com/ejil/article/28/4/1133/4866310>
6. *Responsibility of International Organizations with commentaries. A/CN.4/640*. URL: [https://legal.un.org/docs/?path=../ilc/documentation/english/a\\_cn4\\_640.pdf&lang=EFSX](https://legal.un.org/docs/?path=../ilc/documentation/english/a_cn4_640.pdf&lang=EFSX)
7. Samantha Besson. *Theories of International Responsibility Law (ASIL Studies in International Legal Theory)*. Cambridge University Press. 2022. 400 p.
3. *The Routledge Handbook on Responsibility in International Relations*. Edited by Hannes Hansen-Magnusson, Antje Vetterlein. 2021. 504 p.

### **Internet sources**

<https://www.un.org/>  
<http://www.echr.coe.int>  
<http://www.icc-cpi.int>  
<https://www.icj-cij.org/>  
<https://academic.oup.com/>