

UČNI NAČRT PREDMETA / COURSE SYLLABUS

Predmet:	Mednarodno pravo
Course title:	International Law

Študijski program in stopnja Study programme and level	Študijska smer Study field	Letnik Academic year	Semester Semester
Pravo - 1. stopnja		3	1
Law – 1st degree		3	1

Vrsta predmeta / Course type Obvezni / Obligatory

Univerzitetna koda predmeta / University course code:

Predavanja Lectures	Seminar Seminar	Sem. vaje Tutorial	Lab. vaje Laboratory work	Teren. vaje Field work	Samost. delo Individ. work	ECTS
65	0	20	0	0	115	8

Nosilec predmeta / Lecturer: Izr. prof. dr. Andraž Zidar/Assoc. Prof. Andraž Zidar, PhD

Jeziki / Languages:	Predavanja / Lectures: Slovenski jezik/Slovenian
	Vaje / Tutorial: Slovenski jezik/Slovenian

Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti:

Izpolnjevanje pogojev za vpis v 3. Letnik dodiplomskega študija

Vsaj 80% prisotnost na predavanjih in vajah.

Prerequisites:

Fulfillment of requirements to enroll into 3st year of undergraduate studies

At least 80% attendance at lectures and tutorials.

Vsebina:

Splošna problematika

Študijsko vsebino predmeta predstavljajo izbrana poglavja iz mednarodnega javnega prava: Vloga mednarodnega prava v mednarodni skupnosti in v zunanji politiki držav. Sobivanje med mednarodnim pravom in mednarodnimi odnosi. Nastajanje modernega mednarodnega prava. Razmerje med

Content (Syllabus outline):

International public law (IL) general course and some specific topics:

The role of IL in international community and in foreign policy. Coexistence between international law and international relations. The formation of contemporary IL. Relationship between international, European and national law. Problem of sovereignty in IL. International

mednarodnim, evropskim pravom in nacionalnim pravom. Problem suverenosti v sodobni mednarodni skupnosti in v sodobnem mednarodnem pravu. Mednarodna dejanja in mednarodni posli. Sklepanje, izvrševanje in tolmačenje mednarodnih pogodb. Sredstva mirnega reševanja sporov (pogajanja, arbitraž, sodna pot). Mednarodna sodišča, relevantna za Slovenijo. Osnove mednarodnega pomorskega prava. Mednarodne obveznosti držav glede omejitve oboroževanja, boja zoper terorizem, človekovih pravic, varstva manjšin. Mednarodne organizacije, zlasti OZN, EU in NATO. Reforma OZN. Mednarodni pravni vidiki t. i. regionalnega sodelovanja.

Glede na agresijo na Ukrajino bo na predavanjih in vajah posebej izpostavljena problematika agresije kot zločina v sodobnem mednarodnem pravu. Izpostavljeno bo z večjim poudarkom načelo o prepovedi uporabe oborožene sile pri reševanju mednarodnih sporov. Večji poudarek bo dan tudi mednarodnemu kazenskemu pravu, rimskemu statutu in delovanju ICC.

Zaradi izjemno aktualne problematike konflikta na Bližnjem vzhodu bo dan poseben poudarek mednarodno pravnim vidikom tega konflikta. Nastanek države Izrael, osnove za nastanek države Palestine, problematika samoodločbe v tem kontekstu in problematiki mednarodnega humanitarnega prava oziroma prava mednarodnih konfliktov (*ius in bello*).

Posebna problematika

Mednarodni pravni vidiki nastanka RS-nastanek države (samoodločbe), priznanje, problematika nasledstva s posebnim ozirom na diskontinuiteto po bivši državi. Mednarodne meje RS: problemi Avstrijske državne pogodbe, Osimski sporazumi, razmejitev s Hrvaško na kopnem in na morju. Problem inkorporacije

acts and international contracts. Conclusion, execution and interpretation of international treaties. Means of peaceful settlement of disputes (negotiations, arbitration, and international judiciary). Fundamentals of the law of the sea. Obligations of States concerning use of force, human rights, protection of minorities. International organizations (UN, EU, NATO). Reform of UN.

Given the aggression against Ukraine, the lectures and exercises will specifically address the issue of aggression as a crime in contemporary international law. The principle of the prohibition of the use of armed force in the resolution of international disputes will be emphasized. Furthermore, greater emphasis will be placed on international criminal law, the Rome Statute, and the functioning of the International Criminal Court (ICC).

Due to the extremely topical issue of the conflict in the Middle East, special emphasis will be placed on the international legal aspects of this conflict. The creation of the state of Israel, the basis for the creation of the state of Palestine, the issue of self-determination in this context and the issue of international humanitarian law or the law of international conflicts (*ius in bello*).

Specific problems

International legal aspects of creation of a new state (self-determination; recognition; succession). International borders of Slovenia (Austrian State Treaty; Osimo Treaty, borders with Croatia on land and on sea). Problems of incorporation of international (and European) law in the law of Slovenia. Main international legal obligations of Slovenia. International legal framework of foreign policy of Slovenia: diplomatic and consular law. Organization of Slovenia's foreign service. Organs of foreign policy and decision making in foreign policy.

mednarodnega in evropskega prava v pravni red RS. Mednarodni pravni vidiki članstva RS v NATO. Glavne mednarodne pravne obveznosti RS izhajajoče iz konvencij OZN, Sveta Evrope in drugih instrumentov mednarodnega prava (človekove pravice, varstvo manjšin, status tujcev, boj zoper terorizem, trgovina z drogami in ljudmi). Mednarodno pravni okvir slovenske zunanje službe: diplomatsko in konzularno pravo, organizacija slovenske zunanje službe, organi in odločanje v zunanji politiki v RS.

Kot posebna tema z aktivno udeležbo študentov bodo obravnavani mednarodno pravni vidiki vojne v Gazi.

International humanitarian law.

International legal aspects of the war in Gaza will be discussed as a special topic with active student participation.

Temeljna literatura in viri / Readings:

Temeljna literatura:

1. Polak Petrič, A., Mednarodno javno pravo, Nova univerza, Ljubljana, 2023.
2. Rosalyn Higgins, Problemi in proces - mednarodno pravo in kako ga uporabljamo, MZEZ-FDV, Ljubljana, 2018.
3. Avbelj, M. (ur.), Komentar Ustave Republike Slovenije, Nova univerza, Ljubljana, 2019.
4. Petrič, E., Zunanja politika: Osnove teorije in praksa, druga dopolnjena izdaja. MZEZ-FDV-SAZU. Ljubljana, 2022 (splet).
5. Lowe, V., International Law, OUP, Oxford, 2007.

Dodatna literatura:

Izbrana poglavja iz temeljnih del mednarodnega prava:

1. Polak Petrič, A. in Pajnikihar G., Nasledstvo držav v mednarodnem pravu, MZEZ-FDV, Ljubljana, 2024 (splet).
2. Grasselli, A. (ur.), Mednarodno humanitarno pravo, MZEZ-FDV, Ljubljana, 2021 (splet).
3. Zidar, A., The World Community between Hegemony and Constitutionalism, Eleven, Haag, 2019.
4. Simoniti, I. (gl. ur.), Diplomatsko pravo, MZEZ-FDV, Ljubljana, 2014 (splet).
5. Polak Petrič, A., Jager Agius, I. in Zidar, A. (ur.), Pravo mednarodnih pogodb, MZEZ-FDV, Ljubljana, 2013 (splet).
6. Grotius, H., Svobodno morje, MZEZ-FDV, Ljubljana, 2011 (splet).
7. Relevantni dokumenti: Ust. list. OZN; Washingtonska pogodba o NATO; Dunajska pogodba o mednarodnem pogodbenem pravu, Avstrijska državna pogodba (1955), Osinski sporazum (1975), Rimski sporazum (1983), Konvencija OZN o pomorskem pravu (UNCLOS), Ženevske konvencije in dopolnilni protokoli, Splošna deklaracije človekovih pravic.
8. Cerar, B., Slovenski diplomatski pojmovnik, MZEZ-FDV, Ljubljana, 2020 (splet).

9. Dodatna gradiva, ki bodo določena sproti.

Zgoraj naštetih viri na spletu (Zbirka Mednarodno pravo): <https://zbirdkamp.wixsite.com/website>

Cilji in kompetence:

Skozi predmet pa tudi skozi vzporedne izbirne predmete naj bi si študenti pridobili potrebno znanje za razumevanje urejanja odnosov v sodobni mednarodni skupnosti. Sodobni svet je vse bolj internacionaliziran, globaliziran, mednarodno sodelovanje na vseh področjih družbenega življenja je v veliki ekspanziji, vse to je treba pravno urejati, večina sodobnih problemov človeštva je rešljiva le z multilateralnim mednarodnim sodelovanjem. Posledica tega je tudi ekspanzivni razvoj mednarodnega prava.

Mednarodno pravo je zlasti zaradi dejstva, da države, glavni akter v mednarodnem življenju in glavni subjekt mednarodno pravnih razmerij ohranjajo svojo suverenost, posebno pravo, različno po svoji naravi, po nastajanju, tolmačenju in po sankcioniranju specifično pravo. Prav razumevanje te specifičnosti in s tem vloge mednarodnega prava je eden od temeljnih ciljev predmeta.

Mednarodno pravo je po eni strani pravni okvir za delovanje subjektov v mednarodnem življenju, hkrati pa tudi sredstvo, ki ga države uporabljajo za doseganje in opravičevanje svojih ciljev in zahtev v mednarodnem življenju. Zato je cilj predmeta usposobiti študente za razumevanje posebnosti mednarodnega prava pa tudi za njegovo uporabo. Danes praktično ni področja življenja in dela, kjer nebi bila bolj ali manj prisotna tudi mednarodna komponenta in s tem relevantnost mednarodnega prava.

V zadnjih desetletjih smo pričali ekspanzivnemu

Objectives and competences:

Understanding of contemporary international relations and its legal framework is the basic goal of this part of curriculum, including also several subjects of choice. Contemporary world is more and more internationalised, globalised, the international cooperation is in great expansion and have to be legally regulated, most of important problems of humanity can be resolved only via multilateral international cooperation. Consequently we are faced with huge expansion of international law.

International law is primarily because of the fact that the main actor in international life and the main subject of international legal relations are states which are sovereign is a special kind of law. It is different from state law concerning its nature and its function, its formation, its interpretation and its sanctioning. In particular the understanding of this specifics and consequently of the role of international law in international community is among basic goals of this curricula.

International law establishes the framework for states and other subjects of international law for their activities in international community. It is however also a mean of States and their foreign policy to realise their national interest in international community. Thus the goal of this international law teaching is to prepare, at least at the basic level the students to be able to find, use and apply international law.

Nowadays there is practically no sphere of social activity and life which would not be also

razvoju mednarodnega prava. Prav tako smo priča dejavnostim v mednarodni skupnosti, ki spoštovanje mednarodnega prava postavljajo pod vprašaj ali ga celo kršijo. Zato je cilj predmeta omogočiti študentom pregled nad tem razvojem, bolj kot pa jih le seznaniti s pozitivnim mednarodnim pravom. Seveda pa je močno poudarjena usposobljenost študentov najti ustrezne vire mednarodnega prava, s katerimi bodo reševali nek mednarodno pravni problem, bodisi, da gre za kodifikacijo novih pravil mednarodnega prava, za ugotavljanje mednarodnega običajnega prava, bodisi da se bodo pri svojem delu srečali s konkretno mednarodno pravno problematiko oziroma problemom. V zadnjih letih je stopilo v ospredje vprašanje prepovedi agresije oziroma prepovedi uporabe oborožene sile v mednarodnih odnosih, posledično vprašanje mednarodnega humanitarnega prava, zlasti vojnih zločinov in zločinov zoper človečnost. Ta aktualna problematika bo zlasti prisotna na vajah.

V okviru teh posebnih kompetenc glede razumevanja in uporabe mednarodnega prava sodi sposobnost tolmačiti mednarodne pravne akte pa tudi t.i. vire mehkega mednarodnega prava.

Posebno in vedno bolj aktualno je tudi vprašanje razmerja med mednarodnim in notranjim pravom naše države. V tem smislu naj bi študenti pridobili tudi kompetenco glede razumevanja in sočasne uporabe mednarodnega prava in notranjega prava.

internationalized and thus not be relevant for international law to regulate it. Consequently we are facing in last century expansive growth but also fragmentation of international law. Likewise, we are witnessing actions in the international community which question the respect for international law or even violate it. That is why the goal of this part of curricula is to enable students to acquire an overview of this development and not just the positive knowledge o international law. Of course, the capability of students to identify the relevant sources of international law to treat a specific problem of international law, let it be treaty law, customary law or even "soft" law and to resolve the problem, is a priority goal of curricula. In recent years, the issue of the prohibition of aggression or the prohibition of the use of armed force in international relations has come to the forefront, consequently raising questions regarding international humanitarian law, particularly war crimes and crimes against humanity. This current issue will be particularly present during the exercises.

Let it mentioned among the exposed competences to be acquired by students via the international law curricula the ability to interpret international legal instruments, including both, the Hard and the soft international law.

In particular important competence to be acquired is also the understanding of the relationship between the international law and our national law.

Predvideni študijski rezultati:

Znanje in razumevanje:

- pridobiti razumevanje in znanje o sodobnem mednarodnem pravu de lege lata in temeljnih teoretičnih

Intended learning outcomes:

Knowledge and understanding:

- to acquire knowledge and understanding of contemporary international law de lege lata, and its

konceptih tega prava;

- usposobljenost uporabiti ustrezne metode pri uporabi mednarodnega prava in njegovem ugotavljanju;
- razumeti probleme pri uporabi mednarodnega prava za urejanje razmerij v notranjem pravu;
- poznati in razumeti trende v razvoju sodobnega mednarodnega prava;
- poznati in razumeti glavna mednarodna pravna vprašanja relevantna za Republiko Slovenijo;
- usposobljenost razumeti in obravnavati multilateralne probleme, posebej v sferi človekovih pravic in varstva okolja;
- biti sposoben kritično obravnavati in ovrednotiti položaje in mednarodna dogajanja z vidika mednarodnega prava.
- aktualizirano bo vprašanje uporabe oborožene sile in agresije v sodobnem mednarodnem pravu in v sedanjem ter bodočem mednarodnem redu.
- razumevanje, s strani bodočih pravnikov dogajanj, ki jih simbolizira agresija v Ukrajini in ki so izjemna dolgoročna pretnja mednarodnemu redu. Podobno mutatis mutandis velja za vojno v Gazi, kjer so posebej izpostavljena in problematizirana pravica države do obstoja in varnosti, pravica do samoodločbe in vsekakor aplikacija sodobnega humanitarnega prava.

basic theoretical concepts;

- to be able to use appropriate methods of international legal research;
- to understand the problems of application of international law in domestic legal system and judiciary;
- to understand the trends of development of contemporary international law;
- to understand the main aspects of international legal issues of Republic Slovenia;
- to be competent in dealing with international multilateral problems, in particular problems of human rights and protection of environment;
- to be competent to critically analyse the situations and events in international life from the point of international law.
- the issue of the use of armed force and aggression in modern international law and in the current and future international order will be brought up to date.
- understanding, by future lawyers, of the events symbolized by the aggression in Ukraine and which are an exceptional long-term threat to the international order. The same applies mutatis mutandis to the war in Gaza, where the state's right to existence and security, the right to self-determination and certainly the application of modern humanitarian law are particularly highlighted and problematized.

Metode poučevanja in učenja:

Learning and teaching methods:

Oblike dela:

- Frontalna oblika poučevanja
- Delo v manjših skupinah oz. v dvojicah
- Samostojno delo študentov
- e-učenje
- Kombiniran način študija
- drugo (vpišite): pisanje in predstavitev esejev

Metode (načini) dela:

- Razlaga
- Razgovor/ diskusija/debata
- Delo z besedilom
- Proučevanje primera
- Igra vlog
- Druge vrste nastopov študentov
- Reševanje nalog
- Študijski obiski podjetij ipd.)
- Vključevanje gostov iz prakse
- Udeležba na okrogli mizi, na konferenci

Types of learning/teaching:

- Frontal teaching
- Work in smaller groups or pair work
- Independent students work
- e-learning
- Combined study mode
- other: writing and presentation of essays

Teaching methods:

- Explanation
- Conversation/discussion/debate
- Work with texts
- Case studies
- Role-play
- Different presentation
- Solving exercises
- Field work (e.g. company visits)
- Inviting guests from companies
- Attending round table and conference

Načini ocenjevanja:Delež (v %) /
Weight (in %)**Assessment:**

Način (pisni izpit, ustno izpraševanje, naloge, projekt), skupaj:	100%	Type (examination, oral, coursework, project), altogether:
Pisni ali ustni izpit	70%	Written or oral examination
Sodelovanje pri igri vlog	10%	Participation in the role playing exercise
Ocena eseja	20%	Essay mark

Reference nosilca / Lecturer's references:

Marca 2025 je bil dr. Andraž Zidar imenovan v naziv izredni profesor za mednarodno pravo in diplomacijo na Evropski pravni fakulteti, Nova univerza. Od leta 2020 vodi Diplomatsko akademijo na Ministrstvu za zunanje in evropske zadeve Republike Slovenije. Na ministrstvu je med drugim opravljal funkcijo pooblaščenega visokega predstavnika za nasledstvo (2018) ter bil generalni direktor (pravni svetovalec) Direktorata za mednarodno pravo in zaščito državljanov (2009–2012).

V obdobju 2015–2016 je bil programski direktor Evropskega magistrskega študija iz človekovih pravic in demokratizacije (EMA) v Benetkah. Med letoma 2012 in 2015 je deloval kot višji raziskovalec za mednarodno javno pravo na Britanskem inštitutu za mednarodno in primerjalno pravo (BIICL) v Londonu, v letih 2014–2015 pa je na Regent's University London

predaval mednarodno pravo in mednarodno pravo človekovih pravic.

Je avtor številnih znanstvenih in strokovnih prispevkov s področij človekovih pravic, mednarodnega in ustavnega prava ter mednarodnih odnosov in diplomacije. Njegova najnovejša monografija *The World Community between Hegemony and Constitutionalism* (Eleven International Publishing, 2019) obravnava dialektiko med ustavnimi težnjami in hegemonijo v globalnem upravljanju.

Več informacij je dostopnih na strokovnih profilih:

 [LinkedIn](#)

 [COBISS/CRIS Slovenija](#)

In March 2025 Andraž Zidar was appointed as Associate Professor of International Law & Diplomacy at the European Faculty of Law, New University. Since 2020, he has been leading the Diplomatic Academy of the Ministry of Foreign and European Affairs of Slovenia. At the Ministry, he also served as Acting High Representative for Succession Issues (2018) and as Director-General (Legal Adviser / Jurisconsult) of the Directorate for International Law and Citizen Protection (2009–2012).

Between 2015 and 2016, he was the Programme Director of the European Master's Programme in Human Rights and Democratization (EMA) in Venice. From 2012 to 2015, he held a position as Senior Research Fellow in Public International Law at the British Institute of International and Comparative Law (BIICL) in London. During this period, he also lectured in international law and international human rights law at Regent's University London (2014–2015).

He is the author of several academic and professional contributions in the fields of human rights, international and constitutional law, diplomacy, and international relations. His latest monograph, *The World Community between Hegemony and Constitutionalism* (Eleven International Publishing, 2019), explores the dialectic between constitutionalist aspirations and hegemonic realities in global governance.