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, 3. stopnje	**Pravo**	2.	1.
Law, 3rd level	**Law**	2.	1.

Vrsta predmeta / Course type Izbirni / Elective

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
20	**0**	**0**	**0**	**0**	**230**	**10**

Nosilec predmeta / Lecturer: Prof. dr. Ernest Petrič

Jeziki / Languages:	**Predavanja / Lectures:**	**slovenski / Slovene**
	Vaje / Tutorial:	/

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

Vsebina:	**Content (Syllabus outline):**
Pri predmetu Mednarodno pravo na doktorski ravni bo poudarek na aktualnem razvoju sodobnega mednarodnega prava in tistih vidikih mednarodnega prava, ki so v sedanji mednarodni skupnosti pa tudi v mednarodno pravni doktrini predmet različnih interpretacij ali pa so posebej aktualna za za našo državo in njen položaj v mednarodni skupnosti. Problematika mednarodnega prava v okviru tega predmeta na doktorskem študiju bo seveda obravnavana ob predpostavki, da so študenti tega doktorskega študija že prej	In the course International Law at the doctoral level, the emphasis will be on the current development of modern international law and those aspects of international law that are subject to different interpretations in the current international community as well as in international legal doctrine or are especially relevant for our country and its position in international community. The issue of international law in this doctoral course will of course be addressed on the assumption that the students of this doctoral

osvojili temeljna znanja iz mednarodnega prava, ali pa jim bo to omogočeno v okviru predmeta z dodatno literaturo in pomočjo predavatelja. Poudarki predmeta bodo zlasti na naslednjih problemih mednarodnega prava: pravica narodov do samoodločbe; mednarodno pravno varstvo manjšin; nastajanje mednarodnega prava, še posebej običajnega; ugotavljanje mednarodnega običajnega prava; ius cogens v mednarodnem pravu; fragmentacija in ekspanzija sodobnega mednarodnega prava; vloga mednarodnega prava v zunanji politiki; humanitarna intervencija in dolžnost zaščititi; vloga mednarodnega kazenskega prava in kazenskega sodišča, mednarodno pravno varstvo človekovih pravic; mednarodno pravno varstvo okolja. Vsebina programa predmeta bo do določeno mere individualizirana predvsem z pisanjem esejev in ustnimi nastopi in kolikor bo to relevantno in možno prilagojena raziskovalnin (disertacija) in poklicnim interesom študentov.	program have previously acquired basic knowledge of international law, or they will be able to do so in the course with additional literature and lecturer assistance. The course will focus on the following issues of international law: the right of peoples to self-determination; international legal protection of minorities; the emergence of international law, especially customary law; establishing customary international law; ius cogens in international law; fragmentation and expansion of modern international law; the role of international law in foreign policy; humanitarian intervention and the responsibility to protect; the international criminal law an jurisprudence; international legal protection of human rights; international legal protection of the environment. The content of the course program will to some extent be individualized mainly through the writing of essays and oral presentations and, as far as relevant and possible, adapted to the research (dissertation) and professional interests of students.

Temeljni literatura in viri / Readings:

Poleg primarnih virov (razne konvencije, pogodbe in drugi mednarodni dokumenti) ter sodbe ISJ ter sekundarna literatura:

I. Brownly, Principles of Public International Law, Oxford 2003, 6. ali 7. izdaja
ali
A. Verdross/B.Simma, Universelles Völkerrecht, Berlin 1984 (ali katera koli kasnejša izdaja); S. Cassesse, International Law, Oxford 2005, 2. izdaja
ali
M.N. Shaw, International Law, Cambridge 2001, 4. izdaja;
Liber Amicorum-Ernest Petrič, ur. M. Pogačnik, Nova Gorica 2011;
Reports of the International Law Commission (po navodilu profesorja);
H. Grotious, Svobodno morje, Ljubljana 2011;
M. Koskenniemi, Blagi prosvetitelj narodov (vzpon in padec mednarodnega prava 1870-1960), Ljubljana 2012.
Pogačnik/Petrič: Izbrane teme mednarodnega prava, 1. izd. - Nova Gorica : Evropska pravna fakulteta, 2010

Petrič Ernest, Pravica do samoodločbe, Obzorja, Maribor 1984;
Petrič Ernest: Zunanja politika-Osnove teorije in praksa: Založba ZRC SAZU, 2010;
Petrič Ernest, Spomini in spoznanja-diplomat, pravnik in politik, Mohorjeva založba, Celovec 2018, (ustrezna poglavja);
Rosalyn Higgins, Problemi in proces, Mednarodno pravo in kako se ga uporablja, FDV in MZZ Ljubljana 2018;

Cilji in kompetence:

- Usposobiti študente (doktorske kandidate) za:
- Razumevanje in tudi raziskovanje teoretskih in praktičnih problemov prava in še posebej mednarodnega prava.
- Razumevanje temeljnih značilnosti in posebnosti sodobnega mednarodnega reda in njegovih mednarodno pravnih temeljev.
- Sposobnost najti relevantne vire mednarodnega prava ter jih analizirati in uporabiti.
- Sposobnost kritično ocenjevati z vidikov mednarodnega prava aktualna mednarodna dogajanja.
- Sposobnost spremljati judikaturo relevantnih mednarodnih sodišč:
- Sposobnost spremljati razvoj mednarodnega prava in njegovo transplantacijo v naš pravni red.
- Sposobnost razumeti in vnašati mednarodne pravne vidike in obveznosti v razreševanje notranje pravne, zlasti ustavno pravne problematike.
- Sposobnost identificirati in uporabiti mednarodno pravo pri odnosih z drugimi subjekti mednarodnega prava.

Objectives and competences:

- Train students (doctoral candidates) to:
- Understanding of theoretical and practical problems of law and in particular of international law..
- Understanding of fundamental characteristics and specifics of modern international order and its legal foundations.
- Ability to identify relevant sources of international law, analyze them and use them properly..
- Ability to critically assess current international events from the perspective of international law.
- Ability to identify and analize cases of jurisprudence of relevant international courts:
- Ability to follow development of international law and its transplantation in our domestic legal order.
- Ability to understand international legal aspects in resolving legal issues in domestic law, in particular constitutional aspects.
- Ability to identify and use international law in relations with other subjects of international law.

Predvideni študijski rezultati:

Znanje in razumevanje:

- Razumevanje mednarodnega prava in njegove vloge pri zagotavljanju vladavine prava v sodobni mednarodni skupnosti.

Intended learning outcomes:

Knowledge and understanding:

- Understanding international law and its role in ensuring the rule of law in the modern international community.
- Acquaintance of doctoral candidates-

• Seznanitev doktorskih kandidatov-študentov z vsebino in razvojem temeljnih konceptov sodobnega mednarodnega prava., tistega, kar je navedeno kot vsebina predmeta. • Usposobite bodoče doktorje prava za: - kritično razumevanje in interpretiranje mednarodnega prava; - kritično presojo aktualnih dogajanj v mednarodni skupnosti z vidika mednarodnega prava; -poznati in razumeti posebnosti položaja naše države z vidika mednarodnega prava, ki našo državo zavezuje; • Usposobiti študente, da bodo na področjih kjer delujejo razumeli in upoštevali mednarodno pravne vidike problematike.	students with the content and development of basic concepts of modern international law, what is stated above as the content of this course. • Train students of this cource to: • critically understand and interpret international law; • asses current events in the international community from the point of view of international law; • know and understand the specifics of the position of our country from the point of view of international law, which binds our country; • train to understand and take into account the international legal aspects of the issues in the areas where they work.

Metode poučevanja in učenja:	**Learning and teaching methods:**
Oblike dela: – Frontalna oblika proučevanja-predavanja – Delo v skupinah – Individualno delo s študenti – Samostojno delo študentov – e-učenje Metode (načini) dela: – Razlaga – Razgovor/diskusija/debata – Analiza mednarodnih dokumentov – Analiza sodb mednarodnih sodišč – Ustni nastopi študentov – Eseji študentov – Vključevanje gostov – Udeležba na okrogli mizi, konferenci, posvetovanjih.	Forms of work: – Frontal form of study-lectures – Work in groups – Individual work with students – Independent work of students – e-learning Methods (ways) of work: – Explanation – Conversation / discussion / debate – Analysis of international documents – Analysis of judgments of international courts – Oral presentations by students – Student essays – Involving guests – Participation in a round table, conference, consultations.

Načini ocenjevanja:	Delež (v %) / Weight (in %)	**Assessment:**
Način (Ustno izpraševanje, ocena esejev		Type (oral examination, evaluation of

in ustnih nastopov in nalog): Ustni izpit	100%	oral presentations, essay and participation in projects): Oral examination

Reference nosilca / Lecturer's references:

Prof. dr. E. Petrič: zaslužni profesor mednarodnega prava in mednarodnih odnosov, ki ta predmeta in vrsto sorodnih predmetov predava od leta 1965 v Republiki Sloveniji in številnih drugih univerzah; je član in bivši predsednik ugledne komisije OZN za mednarodno pravo, katere naloga je kodifikacija in progresivni razvoj mednarodnega prava; bivši član Odbora deveterice za oceno bodočih sodnikov Mednarodnega Kazenskega Sodišča v Haagu; avtor desetih knjig o problemih mednarodnega prava, zunanje politike in mednarodnih odnosov v slovenskem, angleškem, albanskem in italijanskem jeziku; nagrajenec nekdanjega Sklada B. Kidriča za znanstveno raziskovalno delo; avtor več kot 350 znanstvenih in strokovnih člankov o problemih mednarodnega prava, mednarodnih odnosov in s tem povezanih vprašanj; bivši sodnik in predsednik Ustavnega sodišča, stalni predstavnik/veleposlanik Republik Slovenije pri OZN New York, Mednarodni agenciji za atomsko energijo in pri OVSE (Dunaj); član t.i, Beneške komisije pri Svetu Evrope; višji svetovalec Predsednika Republike Slovenije.

Prof. dr. E. Petrič: Professor of International Law and International Relations, who has been teaching these subjects and a number of related subjects since 1965 in the Republic of Slovenia and many other universities; is a member and former chairman of the eminent UN Commission on International Law, whose task is the codification and progressive development of international law; former member of the Advisory Committee on Nominations of Future Judges of the International Criminal Court in The Hague; author of ten books on several topics of international law, foreign policy and international relations in Slovene, English, Albanian and Italian; winner of reward of the former B. Kidrič Fund for scientific/ research work; author of more than 350 scientific and professional articles on problems of international law, international relations and related issues; former judge and President of the Constitutional Court of the Republic of Slovenia; former ambassador to India, Nepal, USA, Mexico, Brazil, Austria, Permanent Representative/ Ambassador to the UN New York, the International Atomic Energy Agency and the OSCE (Vienna); member of the so-called Venice Commission of the Council of Europe; Senior Adviser to the President of the Republic of Slovenia.