



Module Manual

**„Master of Laws in Public International
Law“**

(UNO-Master I)

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0 General Remarks

The Module Manual presents all courses that are part of the curriculum of the Master of Laws in Public International Law. It gives an overview about the general data and the content of the courses and contains some information about relevant literature.

The workload of the courses is measured according to the European Credit Transfer and Accumulation System (ECTS). One ECTS Credit Point means a workload for the students of 25 hours.

The contact time between lecturers and students depends on the type of course. The studies in the framework of the Master of Laws in Public International Law include conversatoriums, exercises and seminars.

A conversatorium (Konversatorium KO) is based on the principle of a lecture. It contains a specialist presentation made by the lecturer. However, a conversatorium is more interactive than a lecture. It is moulded by elements of discussion with the students; students may ask questions and explain their views.

A seminar (Seminar SE) serves the comprehensive discussion and treatment of specific expert questions by means of presentations and written contributions of the students.

Finally, an exercise (Übung UE) has the target to strengthen and test the practical skills of the students. It requires either a practical work of the students such as the solution of legal cases or the drafting of legal documents, letters or decisions. Or it trains the skills and qualifications in the field of personality development.

1 Modules

The courses of the Master program Public International Law are divided into four modules:

Module 1: Core Fields of Public International Law (M1)

Module 2: Theory and Practice of Global Diplomacy (M2)

Module 3: Legal Thinking and Communication in International Contexts (M3)

Module 4: Examination Phase (M4)

2 Curriculum

The curriculum of the Master of Laws in Public International Law consists of the following courses:

First Semester

- M1 KO Sources and Principles of Public International Law (4 ECTS)
- M1 KO International Organizations Law (4 ECTS)
- M1 KO International Humanitarian Law (2 ECTS)
- M1 KO International Human Rights Law (4 ECTS)
- M1 SE Recent Challenges in Public International Law (3 ECTS)
- M2 KO Introduction to the Work of the United Nations (2 ECTS)
- M2 KO Theories of International Relations (3 ECTS)
- M2 KO Introduction to Global Diplomacy (2 ECTS)
- M2 KO Conflict Analysis and Resolution (2 ECTS)
- M3 KO Comparative Public Law (2 ECTS)
- M3 KO Europe as an Actor under Public International Law (2 ECTS)

Second Semester

- M3 UE Negotiation Skills and Techniques in Intercultural Contexts (2 ECTS)
- M3 UE English Report Writing Skills (3 ECTS)
- M4 SE Master Seminar (2 ECTS)
- M4 Master Thesis (20 ECTS)
- M4 Oral Examination (3 ECTS)

3 Courses in the First Semester

3.1 Sources and Principles of Public International Law

General Information

Module:	M1
Type of Course:	conversatorium
Workload:	4 ECTS
Direct Contact Time:	40 teaching units à 45 minutes = 30 hours

Content of the Course

This course provides a general understanding of the system of public international law which focuses on the relations between states, international organisations and other actors within the international legal arena. Emphasis throughout the course is on the sources and principles of international law. The course covers the law of international treaty-making, rules of interpretation, customary international law, *ius cogens*, obligations *erga omnes* and general principles of international law.

Furthermore, the course pays attention to the recognition and the consequent rights and obligations of states, issues such as legal personality and diplomatic protection, the right to self-defence, self-determination and secession, state immunity and the role of international law in domestic jurisdictions. It also examines the role and output of the United Nations' General Assembly and Security Council as well as the role of the International Court of Justice and of other international dispute-settlement bodies.

Finally, the course gives an overview about special fields of international law, particularly the use of force and international humanitarian law, the fight against terrorism, the law of the sea and international environmental law.

Literature

Malcolm D. Evans (ed.), International Law, 5th edn., 2018

Malcolm N. Shaw, International Law, 8th edn., 2017

3.2 International Organizations Law

General Information

Module:	M1
Type of Course:	conversatorium
Workload:	4 ECTS
Direct Contact Time:	40 teaching units à 45 minutes = 30 hours

Content of the Course

The course sheds light on the law of international organizations under the perspective of new research approaches concerning International Administrative Law, Global Administrative Law and the Execution of Public Authority. It deals with the historical development, the notion, characteristics and function of international organizations. It explains the role of international organizations as subjects of international law.

Moreover, the course presents approaches to classify international organizations with regard to the tension between regionalism and universalism. The course gives an overview about the organic structures and procedures of international organizations. It includes the aspects of membership, association and exit. It also provides information about the law-making by international organizations and the standard instrument for the execution of international public authority. Further topics are the external relationships and the financing of international organizations.

Literature

Jan Klabbers, An Introduction to International Organizations Law, 3rd edn., 2015

3.3 International Humanitarian Law

General Information

Module:	M1
Type of Course:	conversatorium
Workload:	2 ECTS
Direct Contact Time:	20 teaching units à 45 minutes = 15 hours

Content of the Course

The course deals with the norms and fundamental principles governing armed conflicts to restrict the means and methods of warfare available to combatants and to protect persons who are not participating in hostilities, namely civilians, detainees, the wounded and sick, as well as medical personnel. The protection of special buildings such as schools and cultural heritage are also explained.

The course provides an overview about the historical development of the sources of international humanitarian law and the various situations in which it applies. Participants are being taught to distinguish international from non-international armed conflicts. Furthermore, the course gives information about the prohibited types of weapons, about admissible targets of military action as well as the validity of human rights in times of war.

Contemporary legal issues addressed in the course include the definition of combatants, not least in situations where terrorists are involved in the hostilities, cyber warfare and autonomous weapon systems.

Literature

Emily Crawford/Alison Pert, *International Humanitarian Law*, 2nd edn., 2020

Dieter Fleck (ed.), *The Handbook of International Humanitarian Law*, 3rd edn., 2014

Marco Sassòli, *International Humanitarian Law. Rules, Controversies, and Solutions to Problems Arising in Warfare*, 2019

Gary D. Solis, *The Law of Armed Conflict: International Humanitarian Law in War*, 2nd edn., 2016

3.4 International Human Rights Law

General Information

Module:	M1
Type of Course:	conversatorium
Workload:	4 ECTS
Direct Contact Time:	40 teaching units à 45 minutes = 30 hours

Content of the Course

The course examines the historical development, the main documents, international and regional agreements as well as customary international law as sources of international human rights. Furthermore, the course deals with the instruments, organizations and arrangements that affect the implementation and enforcement of human rights. It sheds light on the human rights court system and the treaty bodies. The role of non-state actors such as NGOs and multilateral enterprises will also be discussed. Finally, the course aims to examine recent developments and challenges in international human rights law.

The course includes particularly mandate and work of the UN Human Rights Council, enforceability of the UN Covenants on Human Rights, international prosecution of core human rights crimes, human rights aspects of international humanitarian law and the responsibility to protect, protection from enforced disappearance, combating torture and other cruel, inhuman or degrading treatment or punishment, fight against slavery, slavery-like practices and trafficking in human beings, elimination of all forms of discrimination, warranty of children's rights, human rights and environment protection as well as human rights and corporate social responsibility of enterprises.

Literature

Philip Alston/Ryan Goodman, *International Human Rights*, 2013

Olivier De Schutter, *International Human Rights Law*, 2nd edn., 2014

Dinah Shelton. *The Oxford Handbook of International Human Rights Law*, 2013

Rhona K. M. Smith, International Human Rights Law, 9th edn., 2020

3.5 Recent Challenges in Public International Law

General Information

Module:	M1
Type of Course:	seminar
Workload:	3 ECTS
Direct Contact Time:	18 teaching units à 45 minutes = 13,5 hours

Content of the Course

This is a cross-sectional course. Contemporary cases, new developments and theoretical approaches from different areas of international law are selected, analysed, discussed and placed in broader social, political and historical contexts. Students can co-determine the content of the seminar by proposing contemporary challenges in Public International Law.

The course aims to improve the students' ability to think creatively, to apply their knowledge to resolve challenges deriving from international law and to engage in a critical reflection on a theoretical level. Moreover, they have to train their capability to lay down their findings and arguments in a paper by the application of scholarly methods. Thus, the seminar prepares for writing the Master thesis.

3.6 Introduction to the Work of the United Nations

General Information

Module:	M2
Type of Course:	conversatorium
Workload:	2 ECTS
Direct Contact Time:	20 teaching units à 45 minutes = 15 hours

Content of the Course

As an increasingly globalized world continues to underline the importance of multilateral dialogue and cooperation in confronting this century's challenges, the United Nations are a central forum for progressing ideas and a platform for action. This course offers an overview of the work of the United Nations. It provides students with a concrete understanding of the United Nations historical, theoretical and practical foundations as well as its structure and functioning.

Furthermore, it discusses the United Nations' influence as an international organization for public policy and norm setting in the areas of security, peacekeeping, human rights and development. A visit to various international organizations based in Vienna shall provide insight into the structure and activities of the United Nations and the international organizations belonging to its family.

Literature

Rosalyn Higgins/Philippa Webb/Dapo Akande/Sandesh Sivakumaran/James Sloan, Oppenheim's International Law: United Nations, vol. 1 and 2, 2017

3.7 Theories of International Relations

General Information

Module:	M2
Type of Course:	conversatorium
Workload:	3 ECTS
Direct Contact Time:	30 teaching units à 45 minutes = 22,5 hours

Content of the Course

Theories of international relations help to understand the functioning of international systems, interactions of nations as well as ideological differences. This course introduces students particularly to the three main theoretical perspectives of international relations. Idealism is based on the belief that states should make their internal political philosophy the goal of their foreign policy. Realism states that all nations are working to increase their own power. According to institutionalism, international institutions allow states to cooperate. These theories are used for understanding and interpreting specific cases of conflict relating to the making and application of international law.

Students will learn to identify key strategies of political analysis and international relations, find out how political and foreign policy analyses are conducted, identify new areas of thought in international relations, identify the significance of conducting political analysis to better perform activities in global contexts and recognize techniques that are practical and applicable in political analysis.

Literature

Madeleine O. Hosli/Joren Selleslaghs (eds.), *The Changing Global Order. Challenges and Prospects*, 2019

Stephanie Lawson, *Theories of International Relations. Contending Approaches to World Politics*, 2015

Andrew Linklater (ed.), *Theories of International Relations*, 5th edn., 2013

3.8 Introduction to Global Diplomacy

General Information

Module:	M2
Type of Course:	conversatorium
Workload:	2 ECTS
Direct Contact Time:	20 teaching units à 45 minutes = 15 hours

Content of the Course

The overall objective of the course is to build the theoretical knowledge, practical skills and core capacities for efficient and effective diplomatic practice, as well as to strengthen the awareness in the field of bilateral and multilateral diplomacy.

The course aims at enabling students to enhance their knowledge of general international relations and specialized conventions, raising their consciousness about the work of the United Nations and its associated international organizations.

Bringing together research in the fields of diplomatic and international studies, the course addresses a range of relevant issues. Emphasis is also placed on global diplomacy in the light of geopolitics and as a tool in times of protectionism and declining multilateralism.

Literature

Thierry Balzacq/Frédéric Charillon/Frédéric Ramel (eds.), *Global Diplomacy. An Introduction to Theory and Practice*, 2020

Alison R. Holmes, *Global Diplomacy. Theories, Types, and Models*, 2016

3.9 Conflict Analysis and Resolution

General Information

Module:	M2
Type of Course:	conversatorium
Workload:	2 ECTS
Direct Contact Time:	20 teaching units à 45 minutes = 15 hours

Content of the Course

The course aims at providing students with skills and knowledge in the field of international conflict analysis and conflict resolution. The course prepares students to be able to assess how United Nations institutions, national governments and other relevant stakeholders respond to conflict and crisis scenarios and to analyse how diplomatic negotiations are conducted.

The course offers a basic knowledge of the potentials and limits of the methods used in prevention, de-escalation, management and resolution of conflicts, including post-conflict interventions and peace-building measures. It examines the role of intelligence and non-governmental organizations in conflict-setting. It also sheds light on international security challenges and the limits of diplomacy.

Literature

Richard Tilly/Paul J. J. Welfens (eds.), *Economic Globalization, International Organizations and Crisis Management*, 2000

Ursula Werther-Pietsch (ed.), *Global Peace and Security. International Crisis and Conflict Management – with 90 key lessons*, 2017

3.10 Comparative Public Law

General Information

Module:	M3
Type of Course:	conversatorium
Workload:	2 ECTS
Direct Contact Time:	20 teaching units à 45 minutes = 15 hours

Content of the Course

In the present age of increased global inter-dependence and inter-connection, economic globalization and (partial) democratization, the importance of comparative public law in addition to traditional legal methods has expanded exponentially. The course gives an overview about constitutional and administrative systems and provides a critical understanding of the main issues, trends and methods in comparative public law.

Students will study different forms of state and government, the concept of the separation of powers, the institutional design and the performance of constitutional and administrative bodies, human rights, federalism and regionalism. Against this background, the course aims to provide students with a better understanding of advantages and disadvantages of different constitutional and administrative systems. Based on a case law approach, it also shows how international and regional courts make use of comparative law to come to their decisions.

The course aims at building a good knowledge and a critical understanding of the main features, categories and models of comparative constitutional law as a field of study, in connection with its theoretical assumptions and practical effects. It mainly focuses on the main models of comparative constitutional law in Western liberal-democracies. Throughout the course, specific focus will be given to the comparative analysis of the mechanisms of incorporation of international law into domestic legal systems, to the elaboration of general principles of law as a source of international law through comparative legal methodology and to the influence of public and international law on the management of foreign relations (so-called “foreign relations law”).

Literature

Alfonso Di Giovine/Alessandra Algostino/Fabio Longo/Anna Mastromarino, *Lezioni di diritto costituzionale comparato*, 2017

Vicki C. Jackson/Mark Tushnet, *Comparative Constitutional Law*, 3rd edn., 2014

Uwe Kischel, *Rechtsvergleichung*, 2015

Diego Lopez Garrido/Marcos Francisco Massó Garrote/Lucio Pegoraro, *Derecho constitucional comparado*, 2017

Subhram Raikhowa/Stuti Deka, *Comparative Public Law*, 2016

Susan Rose-Ackerman/Peter L. Lindseth/Blake Emerson, *Comparative Administrative Law*, 2nd edn., 2019

Michel Rosenfeld/Andr s Saj , *The Oxford Handbook on Comparative Constitutional Law*, 2012

Marie-Claire Ponthoreau, *Droit(s) constitutionnel(s) compar (s)*, 2010

Ren  Seerden (ed.), *Comparative Administrative Law. Administrative Law of the European Union, Its Member States and the United States*, 4th edn., 2018

Mark Tushnet, *Advanced Introduction to Comparative Constitutional Law*, 2nd edn., 2018

3.11 Europe as an Actor under Public International Law

General Information

Module:	M3
Type of Course:	conversatorium
Workload:	2 ECTS
Direct Contact Time:	20 teaching units à 45 minutes = 15 hours

Content of the Course

The course examines the role of European institutions, particularly the European Union, the Council of Europe, the Organization for Security and Co-operation in Europe (OSCE), from the perspective of international law.

The course covers, for example, the international status and the international treaty-making by the European Union, for instance in case of the trade agreement with Mercosur, the Common Foreign and Security Policy (CFSP) within the European Union, the European Union's problematic accession to the European Convention for Human Rights and the relationship between the European Court of Human Rights and the European Court of Justice.

Literature

Steven Blockmans/Panos Koutrakos, *Research Handbook on the EU's Common Foreign and Security Policy*, 2018

Udo Diedrichs/Anne Faber/Funda Tekin/Gaby Umbach (eds.), *Europe Reloaded. Differentiation or Fusion?*, 2011

Neil Winn/Christopher Lord, *EU Foreign Policy Beyond the Nation-State. Joint Action and Institutional Analysis of the Common Foreign and Security Policy*, 2001

4 Courses in the Second Semester

4.1 Negotiation Skills and Techniques in Intercultural Contexts

General Information

Module:	M3
Type of Course:	exercise
Workload:	2 ECTS
Direct Contact Time:	30 teaching units à 45 minutes = 22,5 hours

Content of the Course

Obtaining a positive outcome from meetings and negotiations, whether formal or informal, can be a challenging task. Working in a multilateral setting adds an additional layer of complexity. The course aims at providing students with a strong technical understanding of how multilateral negotiations work and how to prepare for them.

With due regard to the intercultural context of multilateral negotiations, the course offers students the opportunity to work on techniques to reach the most successful outcome. It also aims at improving analytical and interpersonal skills in continual negotiation settings.

The course covers particularly the key concepts of negotiation, negotiation strategies, tactics and techniques in intercultural contexts, the negotiator' tools of talk power as well as the principles of successful negotiations.

4.2 English Report Writing Skills

General Information

Module:	M3
Type of Course:	exercise
Workload:	3 ECTS
Direct Contact Time:	45 teaching units à 45 minutes = 33,75 hours

Content of the Course

The course is designed to transmit the knowledge and skills necessary to report efficiently and effectively in and after multilateral negotiations and conferences. It covers the skills, methods and techniques needed in order to ensure that communication is as productive and fruitful as possible, and that documentation is undertaken using comprehensive methodologies.

The course particularly aims at providing students with good analytical writing skills to make the writing process swifter, easier and more tightly, focused on purpose, objectives and audience. Students will improve their skills to plan and develop documents with a solid structure. They learn to apply key principles of effective writing in a particular context. Moreover, students acquire guidelines, tips and strategies to convey clear messages and make complex analytical and policy issues easily accessible to a broad audience.

The course covers the writing of national and group statements in multilateral diplomacy, guidelines for clear and concise writing, the reporting of meetings of multilateral diplomacy, the writing of briefing memos for multilateral meetings, the drafting of decisions and resolutions as well as the writing of official and diplomatic correspondence in multilateral diplomacy.

4.3 Master Seminar

General Information

Module:	M4
Type of Course:	seminar
Workload:	2 ECTS
Direct Contact Time:	12 teaching units à 45 minutes = 9 hours

Content of the Course

The seminar prepares students for conducting academic research and delivering a written report of this research in form of their master thesis. The course gives an overview about the requirements for a successful master thesis regarding formal aspects, such as citation, literature analysis and structure as well as substantive aspects, especially the formulation of an academically adequate research question.

Furthermore, the topics of the master theses of the group and the research questions therein are presented and discussed by the students to evaluate whether the research questions and method chosen are suitable for the thesis. The students receive detailed feedback and suggestions for improvement.

4.4 Master Thesis

General Information

Module:	M4
Workload:	20 ECTS
Direct Contact Time:	differs individually

Content of the Course

Students write an improved piece of academic research in a field of law covered by the master program. Students formulate a legal research question which shall be answered in their respective master theses in a legally and linguistically correct and structured manner, including and critically discussing relevant court decisions and legal literature.

Furthermore, students collect and interpret relevant legal sources. As a result, students express their own opinion by weighing the relevant arguments which may also include historical, societal and/or ethical aspects.

While writing their theses, students receive feedback from their supervisor concerning the choice of subject, the formulation of the research question and the design of their theses in general.

4.5 Oral Examination

General Information

Module:	M4
Workload:	3 ECTS
Direct Contact Time:	1 hour per student

Content of the Course

After having finished and submitted the final version of the master thesis, the thesis is graded by the respective supervisor and a second reviewer.

In case of a positive evaluation, the student has to pass the oral examination. The head of the master studies, the supervisor of the master thesis and the examiner for the elective subject from the legal courses of the master program form the examination committee.

The student has to defend the master thesis. The student presents the topic, methodology and findings of the thesis. Subsequently, she or he is asked questions about the thesis. Furthermore, the student is required to answer questions concerning the elective subject and public international law in general, particularly focusing on questions related to the field of the master thesis.