Course Description and Objectives:
國際公法是規範國與國之間交往與互動的行為準則，亦是國際政經秩序賴以維繫的屏障之一。在國際公法的規範下履行國際義務並享有權利，乃是一個具有國際法人格之國家享有對外主權的重要象徵。面臨全球化的浪潮與後冷戰時代的國際新局，國際公法的演變與發展將更貼近國際現勢。國際法的主體亦不再僅侷限於主權國家而擴及國際組織、(跨國)企業、個人，甚或非政府組織。修習本選修課程將了解國際公法的基本原則、概念與若干實例。研究主題涵蓋國際法的源流與沿革，國際條約、國際法的主體，國家的承認、繼承、主權行使、國籍與國際責任、海洋法與太空法，外交原則與慣例，國際人權與國際組織，國際爭端的解決與戰爭相關之規範。

Required Textbooks
丘宏達，現代國際法。台北：三民書局，2006。（修訂二版）

Suggested Readings
1. 雪瑞爾(JG Starke)著，陳錦華譯，國際法。台北：五南書局，1999。
2. 王鐵崖等人編著，國際法。台北：五南書局，2002。

**Discussion Topics and Assigned Readings:**

**Week 1** *Syllabus Overview & Grouping the Debates*

**Week 2** Debate Simulation

**Week 3** *Historical Review of Public International Law*
- Ch1
  *Source of International Law*
  - Ch2
**Week 4** *Nexus between Domestic and International Law*
- Ch3
  *Subject of Law & Recognition of Nation-state and Government*
  - Ch5; Ch6
**Week 5** *Recognition of Nation-state and Government II*
- Ch6
  *State Succession*
  - Ch7

**Week 6** Visual Learning

**Week 7** *Rights & Duties of International Legal Persons*
- Ch13
  *Territorial Sovereignty*
  - Ch9, 11

**Week 8** *Debate 1*

維繫中華民國的國際人格，抑或以新的國際人格參與國際社會，
較符合我國利益，且何者較具可行性？

**Week 9** (暫定) Invited Speech

**Week 10** *Law of Sea & Law of Treaties*
- Ch10; Ch4

**Week 11** *Debate 2*

釣魚台列嶼之主權歸屬明確(屬中華民國)，抑或其爲國際法上具有爭議之領土？
Week 12 *International Organizations*  
- Ch15  
  *Judicial Settlement of International Dispute*  
- Ch16

Week 13 **Debate 3**  
人道干預(humanitarian intervention)或維和行動(peace keeping operation)是侵害國家主權，還是維護區域與世界穩定及保障人權的必要行為？

Week 14 *The Law of War, Human Rights Law & Environmental Law*  
- Ch8, 17, 18

Week 15 **Debate 4**  
國際環境法體系的發展能否建構有效的跨國機制來減緩或改善全球環境與生態惡化的情況，進而影響及規範各國重視永續發展議題？

Week 16 Visual Learning/ Assignment Due

Week 17 Final Exam

**Course Requirements**

1) Attending lectures every week. Regular and active participation in class will count for 10% of the final grade. The course is primarily in lecture form, supplemented by whole-class discussion and debates.

2) Keeping up with the assigned readings and handouts.

3) Taking Exam (final).

4) Participating one Simulation of International Law Issue Debate

5) Writing a Case Analysis Assignment

6) I strongly encourage students to e-mail me or visit during office hours about any questions or problems that they may have.

**Grading and Policies**

1) Weights: participation 10%, simulation (oral and written) 30%, case assignment 20%, final exam 40%.

2) The debate’s position paper must be submitted in class on the due date. Late work will be penalized five-point grade notch (e.g., 85 to 80) for each day it is late. The weekend counts as one day. If, for some reason, you cannot submit the paper on time you must get my prior approval for any excuses.
3) Students are expected to take both exams on time. Make-up examinations will not be administered except in the case of a medical emergency, documented by a licensed physician. If it really applies, you must contact me to request the make-up exam. Make these arrangements as soon as you know of the conflict – prior to the exam date if possible.

4) Students who need academic accommodations due to a disability should speak with me directly.

5) No grade Incomplete will be given for this course.

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**International Law Issue Debate**

1) Choose a TOPIC (showed on Page 2-3) and those who selected the same topic organize a GROUP for that topic.

2) Divide the GROUP into 2 TEAMS—PRO and CON; Each TEAM should contain 3-5 persons.

2) Each TEAM should submit an outline of your presentation (position, arguments, and questions) one week before your assigned week.

3) 40-minute presentation for each team (around 5-6 minutes for each person); 30 minutes for cross-team questioning; 30 minutes for response/questions from the audience.

4) One position paper from each team (around 25 pages long; typed and double-spaced); each member of the team should contribute to this position paper, and this assignment will be graded individually.

5) You should begin general research into the public policy or arguments of the position you will represent. The topic will help guide the students in terms of the key issues to be addressed.

6) Preparation of the debate and the position paper:
   The position paper is meant to spell out the particular positions on the topic. The position paper will have to deal both with the background and main polemics of this issue as well as your proposed policy initiatives and constructive arguments. It is better for your team to divide the team members into different functional specializations/perspectives of the issue you selected, so as to optimize the personnel at hand.

7) The position paper is DUE the sequent week in CLASS after the debate week.
Case Writing Assignment

1) Each student is required to submit one 3000-word (typed and double-spaced) paper (with citations) focusing on discussions of important cases in international law.
2) Students can select concrete case among all discussion topics listed above (except the relevant topic[s] you selected for your debate).
3) the essay should be in line with the following format:
   i. 事實陳述 (Facts)
   ii. 涉及議題 (Issues)
   iii. 判決或協調結果 (Decisions)
   iv. 理據分析 (Reasoning)
   v. 案例對特定之公法議題或國際公法發展之意義與重要性 (Implication & Significance)
   vi. 註釋 (Endnotes)
   vii. 資料來源 (References)
4) The case paper is DUE in CLASS in Week 16 (12/29).