



LUND
UNIVERSITY

Faculty of Law

JUZN16, Non-State Actors and Accountability in International Law, 15 credits

*Non-State Actors and Accountability in International Law, 15
högskolepoäng*
Second Cycle / Avancerad nivå

Details of approval

The syllabus was approved by Faculty of Law Board of education at undergraduate and postgraduate levels on 2019-12-06 and was last revised on 2020-10-20. The revised syllabus applies from 2020-10-20, spring semester 2021.

General Information

The course Non-State Actors and Accountability in International Law is an elective advanced course (Fördjupningskurs) within the Swedish professional degree course (Juristprogrammet) at the Faculty of Law.

The course is also open to students participating in international exchange programmes with the Faculty of Law.

Language of instruction: English

Main field of studies

Law

Depth of study relative to the degree requirements

A1N, Second cycle, has only first-cycle course/s as entry requirements

Learning outcomes

To pass the examination, the student shall be able to demonstrate knowledge and competences as below:

Knowledge and understanding

- an in-depth knowledge of the notion of accountability, including responsibility and liability, in international law, and of the notion of legal subjectivity in international law

- a thorough understanding of the relevant sources of international law, including international treaty law, customary international law, and 'soft law' instruments
- an in-depth knowledge of the classical and more recent ways of conceptualizing accountability in international law
- knowledge of the role of non-state actors in different areas of international law
- an in-depth knowledge of the relevant case-law of international and domestic courts in which relevant questions of accountability of non-state actors for violations of international law have been dealt with
- good and broad awareness of the current developments of the notion of accountability in international law and their bearing on non-state actors.

Competence and skills

- the ability to identify and formulate legal problems concerned with accountability of non-state actors in international law
- good research skills including the search, processing and analysis of relevant sources of law and other material, including empirical material
- the ability to make use of the legal-technical knowledge and perspectives acquired throughout the course
- the ability to solve cases concerning accountability under international law within a limited period of time and to present the results orally and in writing
- the ability to work both individually and in groups
- the ability to critically assess and comment constructively on arguments and theories concerned with accountability of non-state actors in international law
- the ability to engage in focused research on a specific topic and to present the result in scholarly writing.

Judgement and approach

- the ability to articulate the theoretical underpinnings and legal basis of accountability under international law
- the ability to distinguish between legal arguments and arguments based on political or other considerations in the international context
- the ability to evaluate the construction of theories concerning topics of accountability of non-state actors in international law
- insight into the constraints of developing new theories of accountability, such as legal subjectivity and the state-centered structure of international law.

Course content

The course will cover central issues relating to accountability in international law, with a focus on non-state actors (NSA), including International Organizations, natural persons, organized armed groups, and legal persons such as corporations. As such, the course will also examine the notion of legal subjectivity in international law, with a focus of non-state actors in international law. Under the umbrella term of accountability, issues of responsibility and liability will be examined. The course will examine issues of accountability as arising in different areas of international law in which NSA operate, including e.g. international human rights law, international criminal law, international humanitarian law, international refugee law, and business and human rights. The notion of accountability in international law will be studied in a developmental perspective. In this view, the emergence and crystallization of new general principles and substantive norms of international law having a bearing on

how accountability for international law violations is conceptualized and applied vis-à-vis NSA (e.g. including in state domestic practice) will be examined.

Course design

Teaching is provided in the form of lectures and seminars.

Assessment

Student performance is assessed through an oral presentation, participation in compulsory seminars and a take home exam.

The examiner, in consultation with Disability Support Services, may deviate from the regular form of examination in order to provide a permanently disabled student with a form of examination equivalent to that of a student without a disability.

Subcourses that are part of this course can be found in an appendix at the end of this document.

Grades

Marking scale: Fail, Pass, Pass with credit, Pass with distinction.

B – Pass

In order to pass the student must be able to demonstrate an ability independently to search for and to evaluate legal and other sources in the field of accountability of NSA in international law, the ability to conduct satisfactory analysis of a legal question in relation to different sources, good knowledge of relevant sources of international law as well as of relevant 'soft law' instruments, good knowledge of the role of NSA in different areas of international law, an adequate understanding of the theoretical underpinning of accountability of NSA in international law, an understanding of the relation between law and politics in this area and the ability to convey the student's knowledge both orally and in written form.

BA – Pass with credit

In order to achieve this grade, the student must show a broad as well as deep knowledge of relevant sources of international law, very good knowledge of the role of several NSA in different areas of international law, and capability to critically analyse the differences, the ability to conduct deep and nuanced analyses of a legal question in relation to different sources, a good awareness of the development of questions of accountability of NSA in international law at different levels, a good understanding of the theoretical underpinning of accountability and legal subjectivity in international law, the ability to respond to questions and interact with other students at presentations and seminars, the ability to carry out assignments in a timely manner and a good command of presentation and communication skills.

AB - Pass with distinction

In order to achieve the highest grade the student must, in addition to the general knowledge and skill in the overall subject of accountability of NSA in international law

required for the grade of BA, be able to demonstrate in-depth knowledge of an aspect of accountability of NSA in international law showing a deep awareness of the structural and theoretical underpinnings of the topic of the course, as well as of the relevant application and developments of such structural and theoretical underpinnings. The student must also demonstrate command of the different sources and material covered by the course, and show a very good ability to formulate critical and legally sound arguments, drawing from this rose of materials.

Written works shall, in particular, be of a good professional standard with regard to both the substantive content and the technical aspects.

Entry requirements

For students on the Professional Law Degree Programme the entry requirements for semesters 7 and 8 are outlined in the Programme syllabus (utbildningsplanen).

Requirements for international exchange students: undergraduate higher education studies amounting to three years, including basic knowledge in jurisprudence.

Subcourses in JUZN16, Non-State Actors and Accountability in International Law

Applies from V20

2001 Non-State Actors and Accountability in International Law, 15,0 hp
Grading scale: Fail, Pass, Pass with credit, Pass with distinction