



Course and Examination Fact Sheet: Spring Semester 2025

8,713: Recht/Law: International Law and Diplomatic Clinic

ECTS credits: 3

Overview examination/s

(binding regulations see below)

decentral - Presentation, Analog, Group work group grade (50%)

Examination time: Term time

decentral - Written work, Digital, Individual work individual grade (50%)

Examination time: Term time

Attached courses

Timetable -- Language -- Lecturer

[8,713,1.00 Recht/Law: International Law and Diplomatic Clinic](#) -- English -- [Aparac Jelena](#)

Course information

Course prerequisites

None

Learning objectives

The goals of this course are:

- To provide students with the practical knowledge and understanding of key areas of international law and relations,
- Familiarize students with the concrete application and use of international law rules in various diplomatic contexts,
- Develop and enhance analytical and diplomatic practical skills.

On successful completion of the course, students shall understand:

- Rules and principles of international law forming the base of Interaction of states in the special areas of their cooperation.
- System, actors and forms of international relations and diplomatic discussions
- International relations and diplomatic dynamics
- How to connect the law, the field dynamics and diplomatic developments.

Course content

The objective of the clinic is to work on essential aspects of international public law and related branches of international law, and to deepen the content on specific topics. Students are expected to have detailed understanding of the practice and normative framework and some of the challenging aspects of international relations and diplomacy by the end of their clinical work. The clinic enables students to appreciate various factors in different negotiating contexts and the particular challenges and problem areas that exist, such as finding compromises between various legal and political systems (common law or civil law approach, human rights law and Islamic law). The clinic further enables students to test their knowledge through “real case” scenarios and to develop their analytic reasoning and negotiating skills as well as a strong awareness of various contexts of international relations and diplomacy in the 21st century. One typical example of real case scenario is negotiating with armed groups to access population in need.

Throughout the course, students are challenged to critically examine and discuss issues submitted to them, and in some sessions play specific roles. This will prepare them for the final simulation that will reflect a typical situation of international practice today that they may face once they start their work in international relations.

Course structure and indications of the learning and teaching design



The clinic will be composed of 24 lessons of 45 minutes. Students will be given timely and structured guidance on reading materials and how to prepare the sessions. Each session will be structured as follows: Introducing the topic – short lecture, practical work/role play, discussions.

The following topics will be addressed in sessions:

Negotiating international legal instruments

- Negotiating ICC amendment to introduce ecocide
- Negotiating a treaty: business and human rights or PMSC
- Peace agreement negotiations: amnesties and DDR
- Amendment negotiations: amending the Rome statute for ecocide

Ensuring compliance with international law

- International sanction regime and embargo monitoring
- Investigating and prosecuting human rights violations

Emerging concepts- humanitarian diplomacy

- Humanitarian negotiations with armed groups, terrorist groups, mercenaries
- Humanitarian diplomacy : negotiating access to population in need (roles and responsibilities of state and non-state actors)

Role and protection of specific categories of civilians

- Women, peace and security, SGBV
- Child soldiers and protection of children
- Protection of medical mission and humanitarian action

Final exercise : Security Council urgent session simulation of a conflict crisis

Contextual Studies are considered part of **Contact Learning**; thus, taking part properly implies **regular attendance**. It is the students' own responsibility to ensure that there is **no timetable clash** between the courses they have chosen. A detailed course outline and all relevant documents will be made available on **StudyNet**. Only the current timetable as published on **Courses** does apply.

Course literature

In addition to the selected bibliography for each session, the students will be requested to read: UN Documents: UN Charter, UN SC resolutions (relevant to specific conflict), Panel of Experts, briefings, fact-finding missions reports OHCHR Special procedures: WG on Business and Human Rights, WG on mercenaries; Legal blogs: Opinio Juris, Just Security, Armed Groups and International Law What's In Blue <https://www.securitycouncilreport.org/whatsinblue> (for all sessions) Reliefweb: <https://reliefweb.int/> (for all sessions)

Specialized reading material:

Jelena Aparac, "PMSC treaty" – why we need an international legally binding instrument to regulate private military and security companies, Cambridge Core Blog, <https://www.cambridge.org/core/blog/2023/05/30/pmsc-treaty-why-we-need-an-international-legally-binding-instrument-to-regulate-private-military-and-security-companies>

See the ICC, Report of the Working Group on Amendments, ICC-ASP/23/26, 1 December 2024, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://asp.icc-cpi.int/sites/default/files/asp_docs/ICC-ASP-23-26-ENG.pdf

Nema Milaninia and Jelena Aparac, Chapter 21 Climate Change Litigation before the International Criminal Court: Prospects in Theory and Practice In: Climate Change Litigation: Global Perspectives (2021)

Jelena Aparac, Private Military and Security Companies as a Legacy of War: Lessons Learned From the Former Yugoslavia, Business and Human Rights Journal, 2024.

Leslie MacColman, Security Sector Reform in Theory and Practice, Persistent Challenges and Linkages to Conflict Transformation, International Journal of Conflict Engagement and Resolution, 2016, Vol. 4, No. 1 (2016), pp. 72-89.

Pensky, M., 2008, 'Amnesty on Trial: Impunity, Accountability and the Norms of International Law', Ethics and Global Politics, vol. 1, no. 1-2, pp. 1-40.

IISD: <https://www.iisd.org/publications/conflict-peacebuilding-role-natural-resources-and-environment>



Alain Pellet, « The Palestinian Declaration and the jurisdiction of the International Court of Justice », Journal of International Criminal Justice, 2010, pp. 981-999 (<http://alainpellet.fr>).
ICJ, South Africa vs Israel, 2024
MSF, Humanitarian negotiations, Introduction: Acting at any price?, <https://msf-crash.org/en/publications/humanitarian-negotiations-revealed-msf-experience>
J. K. Kleffner, « From 'Belligerents' to 'Fighters' and Civilians Directly Participating in Hostilities – On the Principle of Distinction in Non-International Armed Conflicts One Hundred Years after the Second Hague Peace Conference », NILR, 2007/2, pp. 315-336.
Susan Breau The Responsibility to Protect in International Law, An Emerging Paradigm Shift (2018), Routledge
Tristan Ferraro, The applicability and application of international humanitarian law to multinational forces, 2015 <https://international-review.icrc.org/articles/applicability-and-application-international-humanitarian-law-multinational-forces>
UNGA Resolution 2675 (XXV) of 9 December 1970 (Basic Principles for the Protection of the Civilian Population in Armed Conflict)
See special issue on women by ICRC: <https://international-review.icrc.org/reviews/irrc-no-877-women>
ICRC, Child soldiers and other children associated with armed forces and armed groups, <https://www.icrc.org/en/doc/assets/files/other/icrc-002-0824.pdf>
Special issue ICRC: <https://international-review.icrc.org/reviews/irrc-no-911-children-and-war>

Additional course information

Dr. Jelena Aparac, former Chair Rapporteur and Member of the UN Working Group on Mercenaries, is an independent Expert in international human rights and humanitarian law from perspectives of humanitarian emergency operations, academic teaching, leading and designing diplomatic strategies and policy shaping.

Examination information

Examination sub part/s

1. Examination sub part (1/2)

Examination modalities

Examination type	Presentation
Responsible for organisation	decentral
Examination form	Oral examination
Examination mode	Analog
Time of examination	Term time
Examination execution	Asynchronous
Examination location	On Campus
Grading type	Group work group grade
Weighting	50%
Duration	--

Examination languages

Question language: English
Answer language: English

Remark

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Examination-aid rule

Free aids provision

Basically, students are free to choose aids. Any restrictions are defined by the faculty members in charge of the examination under supplementary aids.

Supplementary aids

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2. Examination sub part (2/2)

Examination modalities

Examination type	Written work
Responsible for organisation	decentral
Examination form	Written work
Examination mode	Digital
Time of examination	Term time
Examination execution	Asynchronous
Examination location	Off Campus
Grading type	Individual work individual grade
Weighting	50%
Duration	--

Examination languages

Question language: English
Answer language: English

Remark

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Examination-aid rule

Free aids provision

Basically, students are free to choose aids. Any restrictions are defined by the faculty members in charge of the examination under supplementary aids.

Supplementary aids

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Examination content

1. Presentation (Group work)
2. Paper (individually, min. 12.000 characters)

Examination relevant literature

See Course-Literature



Please note

Please note that only this fact sheet and the examination schedule published at the time of bidding are binding and takes precedence over other information, such as information on StudyNet (Canvas), on lecturers' websites and information in lectures etc.

Any references and links to third-party content within the fact sheet are only of a supplementary, informative nature and lie outside the area of responsibility of the University of St.Gallen.

Documents and materials are only relevant for central examinations if they are available by the end of the lecture period (CW21) at the latest. In the case of centrally organised mid-term examinations, the documents and materials up to CW 13 (Monday, 25 March 2025) are relevant for testing.

Binding nature of the fact sheets:

- Course information as well as examination date (organised centrally/decentrally) and form of examination: from bidding start in CW 04 (Thursday, 23 January 2025);
- Examination information (supplementary aids, examination contents, examination literature) for decentralised examinations: in CW 12 (Monday, 17 March 2025);
- Examination information (supplementary aids, examination contents, examination literature) for centrally organised mid-term examinations: in CW 14 (Monday, 31 March 2025);
- Examination information (regulations on aids, examination contents, examination literature) for centrally organised examinations: two weeks before ending with de-registration period in CW 15 (Monday, 07 April 2025).