



**UNIVERSITY "UKSHIN HOTI" PRIZREN
INTERNATIONAL SUMMER SCHOOL - PRIZREN 2023
Faculty of Law**

"International Law and the Use of Force: Recent Developments"

The course stage: Bachelor/Master

Language of course: English

Duration: 31th July – 11th August 2023

Working time (hours a day): 3

Number of ECTS credits: 4

Teaching Method: Lectures, Hands-on coding exercises, Project work, Case studies

Module Description:

The use of force has been a central part of discussions and debates in international law for a very long time. The prohibition of the threat and use of military force against a state is undoubtedly a cornerstone of the current international legal order. The current legal framework governing the use of force is expressly prohibited by the United Nations (UN) Charter and other international instruments. Article 2(4) provides that a state cannot threaten or use force against the territorial integrity and political independence of another state. This prohibition is also universally accepted in customary international law (*ius cogens*). The UN Charter states explicitly only two exceptions from the general prohibition of the use of force: (I) individual and collective self-defence, (Article 51); (II) Security Council (SC) enforcement actions (Chapter VII). International law of the use of force today, is increasingly challenged by the emergency situations, also by the increasing participation of different actors in international relations. The course also includes debated issues related to the use of force, such as: preemptive self-defence, anticipatory self-defence, humanitarian intervention and the responsibility to protect (RtoP), self-defence against non-state actors (such as the use of force against terrorism) etc.

The focus of this course is to provide an overview of recent developments in international law governing the use of force, specifically on the challenges and the role of the UN SC, as a mechanism that has the primary responsibility under the UN Charter, for the maintenance of international peace and security in the world. Russia's military intervention in Ukraine, and its veto power to block the SC by Russia itself as a permanent member state of this Council, in paralyzing the main body to take actions, opens more debates for the future for the general prohibitions of the use of force legislation and its mechanisms. Therefore, when the world is faced with unilateral military intervention against another state even today, this course includes the actions of the UN Security Council, other UN institutions and other mechanisms, in recent years, together with the positions of states and scholars of international law.

Course objectives:

- To teach and discuss on the legal frameworks governing the use of force in international law, and state practice;
- To help students to analyze recent developments in international law related to the use of force, including humanitarian intervention and RtoP self-defence against non-state actors, etc.
- To understand the role of international organizations, such as UN in enforcing international law related to the use of force, specially the role of the Security Council;
- To demonstrate enhanced skills and confidence in conducting research in international law and the use of force and practice.