

Course Outline

Course number	RBB238					
Course title	State Responsibility in International Law					
Credit points	2 (LV) 3 (ECTS)					
Total hours	30					
Lecture hours	15					
Seminar and other hours	15					
Course level	Bachelor					
Prerequisites	RBA103 – Public International Law					
Category	Mandatory	X	Restricted elective		Free elective	

COURSE TEACHERS

No.	Name	Academic degree	Academic position
1	Tjaco van den Hout, SG Permanent Court of Arbitration (1999-2008)	LL.M. (honors) Leiden	Visiting Professor

COURSE ABSTRACT

This course explores the origins and content of State responsibility law as a set of secondary rules. It examines the main elements of State responsibility law as articulated in customary international law and codified in the International Law Commission's Articles on the Responsibility of States for Internationally Wrongful Acts. In practice, they are used as guiding principles to invoke responsibility of another State for an internationally wrongful act before a forum that has jurisdiction to decide the dispute in question.

The International Law Commission's Articles on the Responsibility of States for Internationally Wrongful Acts adopted by the UN General Assembly will serve as guidance throughout the course. The course will start with the discussion of the main two elements in order to establish State responsibility – attribution of a conduct to a State and breach of an international obligation. The course will largely refer to the case-law of the International Court of Justice, as well as its predecessor, the Permanent Court of International Justice, and other international tribunals.

The course then turns to “circumstances precluding wrongfulness” of an act that is internationally wrongful. Here customary international State responsibility law rules and their evolution come into focus. After determination of an internationally wrongful act the various forms of reparation will be discussed.

COURSE OBJECTIVES

Students who successfully complete this course will have a solid understanding of how responsibility of a State for its internationally wrongful act is established and acted upon. They will have a good grasp of the elements at play: i.e. State responsibility, breach of an international obligation, attribution of a conduct to a State, circumstances precluding wrongfulness and forms of reparation.

GRADING CRITERIA

Criteria	Weighting
Exam	70%
Quizzes	30%

COURSE PLAN – MAIN SUBJECTS

No.	Subject	Planned hours
1	Concept of State responsibility in international law and its main elements	6
2	Breach of an international obligation of a State, responsibility of a State in connection with the act of another State, attribution of conduct to a State	6
3	Circumstances precluding wrongfulness	6
4	Reparation for injury	6
5	Invocation of responsibility and admissibility of claims	6

COURSE PLAN – SESSIONS

Session	Subject	Lecture/seminar
1	Concept of state responsibility in international law and its main elements	Lecture/seminar
2	Concept of state responsibility in international law and its main elements	Lecture/seminar
3	Concept of state responsibility in international law and its main elements	Lecture/seminar
4	Breach of an international obligation of a State and the responsibility of a State in connection with the act of another State, Attribution of conduct to a State	Lecture/Seminar
5	Breach of an international obligation of a State and the responsibility of a State in connection with the act of another State; Attribution of conduct to a State	Lecture/Seminar
6	Breach of an international obligation of a State and the responsibility of a State in connection with the act of another State Circumstances precluding wrongfulness	Lecture/Seminar
7	Circumstances precluding wrongfulness	Lecture/Seminar
8	Circumstances precluding wrongfulness	Lecture/Seminar
9	Circumstances precluding wrongfulness	Lecture/Seminar
10	Reparation for injury	Lecture/Seminar
11	Reparation for injury	Lecture/Seminar
12	Reparation for injury	Lecture/Seminar
13	Invocation of responsibility and admissibility of claims	Lecture/Seminar
14	Invocation of responsibility and admissibility of claims	Lecture/Seminar
15	Invocation of responsibility and admissibility of claims; preparation for Exam	Lecture/Seminar

COURSE LITERATURE

No.	Author, title, publisher
1	J Crawford, The International Law Commission's Articles on State Responsibility: Introduction, Text and Commentaries, (Cambridge University Press, Cambridge 2002)
2	J Crawford, State Responsibility (OUP, Oxford ed 2014)
3	Course compendium