

Seminario de Investigación Derecho UC

NOMBRE DEL SEMINARIO : «Use of Force in International Law»
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ÁREA DEL DERECHO : Derecho Internacional Público

1. Course Overview

1.1) The purpose of this seminar is to study the regulation of the use of armed force in contemporary international law. In general terms, the course will analyze the old right to war or *ius ad bellum* as well as its current prohibition or *ius against bellum*.

Regarding the latter, the seminar will study Articles 2.4 and 51 of the UN Charter in detail, as well as Chapter VII of the UN Charter. In other words, the general prohibition established in the UN Charter and its two exceptions: self-defense and coercive measures agreed or decided by the Security Council. The seminar will also consider other possible exceptions to the Charter prohibition, i.e. The protection or rescue of foreigners, humanitarian intervention, peacekeeping and / or enforcement forces.

1.2) The main objective of this seminar is to achieve an understanding of the regulation of the use of force in contemporary international law, demonstrated through a brief research project about an aspect of this regulation that constitutes a contribution to the development of this area.

1.3) The seminar will have a maximum of 12 students.

1.4) The seminar will, in principle, have a total of 8 sessions.

1.5) The seminar classes will be held as follows: 2 introductory sessions during **August 8 and 22**, each by one of the lecturers of the seminar, which will outline the basic aspects of the use of force in international law and the methodology of the seminar. Legal research; and three sessions of research exposition by the students during **August** and **September**, and three during **October**, supervised by the professor.¹

2. Course Conditions and Evaluations

2.1) Each student will choose a research topic, which must be approved by the teacher of the seminar. Said election will be made during the session of **August 22**. The respective topic should fall within one of the following lines of research:

- General prohibition of the threat or use of force;
- Responsibility to protect;
- Self-defense;
- Coercive measures agreed or decided by the Security Council;
- Protection or rescue of aliens;
- Humanitarian intervention; or
- The forces of maintenance and / or peacekeeping forces.

2.2) Each student must write a preliminary report and deliver it to the teacher of the seminar on **September 1st**. This report shall include:

- A tentative title;
- A question and main research hypothesis;
- A tentative index with an explanation of the content of each of the subtitles in which the report is divided;

¹ Depending on the number of students, these could be more than three.

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- A bibliography, tentative and explained, of books, articles, etc. This will be used in it.

The requirements established for the final report will also be applicable to the preliminary report, which will be corrected by the respective teacher, who will return it to the student with the pertinent corrections within two weeks.

2.3) The preliminary report will be equivalent to 25% of the final grade and cannot be accumulated.

2.4) Students must briefly present their respective works in class (10 minutes maximum per oral presentation) in the sessions of **August 29**, **September** (5, 12) and **October** (10, 17 and 24), with the support of a power-point presentation. Each presentation should be based on the preliminary and final report, respectively, and will be analyzed and evaluated by the seminar professors. This evaluation will be equivalent to 25% of the final mark and will focus on its content and the following formal aspects: clarity of presentation; use of time; structure; posture and confidence; and interest it generates in the audience.

2.5) Each student should make a final report and deliver it to his teacher on **November 10**. The final report will take the form of a journal article of no more than 30 letter-sized pages, written in a space and a half, and incorporating the corrections that the teacher has made to their written preliminary report, as well as the observations made about their oral presentation in class.

2.6) The first page of the final report should include the title of the article, the name of the student and the name of the corresponding advisor (that is, the designated teacher in charge of helping the student during the research process). Furthermore, an email address and a contact phone number should also be included on this page, as well as a brief summary or "abstract" (200 characters maximum). Regarding the correct format for citations, the instructions for the collaborators of Revista Chilena de Derecho will apply.²

2.7) The final report will be equivalent to 50% of the final grade.

2.8) The percentage of attendance to pass the course will be 90%.

² Available on the page of the Faculty of Law of the UC.