



סילבוס

ישראל במשפט הבין-לאומי - 62383

תאריך עדכון אחרון 30-09-2017

נקודות זכות באוניברסיטה העברית: 3

היחידה האקדמית שאחראית על הקורס: משפטים

השנה הראשונה בתואר בה ניתן ללמוד את הקורס: 0

סמסטר: סמסטר א'

שפת ההוראה: אנגלית

קמפוס: הר הצופים/הר הצופים

מורה אחראי על הקורס (רכז): טלילה דביר

דוא"ל של המורה האחראי על הקורס: talila.devir@mail.huji.ac.il

שעות קבלה של רכז הקורס: בתיאום מראש

מורי הקורס:

פרופ יובל שני

פרופ מלקולם שואו

פרופ גיא הרפז

גב טלילה דביר

תאור כללי של הקורס:

הקורס מציג את התשתית התיאורטית של המשפט הבינלאומי הפומבי, כמו גם את מוסדותיו והיבטיו הפרוצדוראליים. בנוסף, הקורס בוחן את היחס שבין המשפט הבינלאומי הפומבי לבין הדין המקומי, יחסים בינלאומיים, פילוסופיה משפטית ומדעי המדינה. מיקוד מיוחד בקורס הוא הנושאים והאתגרים עימם מתמודדת מדינת ישראל. ישראל הוקמה מכוח החלטת העצרת הכללית של האו"ם (החלטה 181 מיום 29 בנובמבר, 1947) ועסקה נמרצות במגוון תחומים של המשפט הבינלאומי. באותה הנשימה, חלק ניכר מהביקורת הבינלאומית כלפי מדינת ישראל עוסקת בהתאמת פעולות המדינה למשפט הבינלאומי ולחובותיה מכוחו. הקורס ידון במספר סוגיות ליבה בעולם המשפט הבינלאומי ומשמעותן המיוחדת ביחס למדינת ישראל, לאור ניסיונה של המדינה וההיסטוריה הייחודית שלה.

מטרות הקורס:

ללמוד אודות המשפט הבינלאומי הפומבי באופן כללי, ובפרט דרך נקודת המבט הייחודית של מדינת ישראל והניסיון שלה בזירה הבינלאומית.

תוצרי למידה

בסיומו של קורס זה, סטודנטים יהיו מסוגלים:

הסטודנטים ירכשו ידע ויגבשו הבנה מעמיקה של תפקיד המשפט הבינלאומי, וכן ירכשו כלים לניתוח סוגיות בולטות במשפט הבינלאומי הקיים, ובפרט ביחס למדינת ישראל.

דרישות נוכחות (%) :

75%

שיטת ההוראה בקורס: הסטודנטים נדרשים לצפות בכל ההרצאות המקוונות. בנוסף, עליהם לקרוא את חומר הקריאה המחייב, ולהגיש תרגילים שבועיים על חומרי הקריאה והחומר שהועבר בהרצאות. כמו כן, הם מצופים להשתתף באופן פעיל בתרגולים הפרונטליים שיועברו ע"י טלילה דביר.

רשימת נושאים / תכנית הלימודים בקורס:

הקורס בנוי מארבעה חלקים: החלק הראשון עוסק בהיסטוריה של המשפט הבינלאומי, ביסודותיו הנורמטיביים ובבסיס התיאורטי לציות אליו. החלק השני עוסק בשחקנים ובמוסדות המרכזיים הפועלים במישור הבינלאומי. החלק השלישי עוסק בסוגיות נבחרות מתחום המשפט הבינלאומי: רכישת שטח, איסור השימוש בכוח, דיני המלחמה, דיני הכיבוש, דיני זכויות האדם, משפט בינלאומי פלילי, סמכות אוניברסלית ובית הדין הבינלאומי הפלילי, משפט בינלאומי כלכלי ודיני איכות הסביבה הבינלאומיים. החלק הרביעי יציג מבט ממוקד באשר למספר סוגיות הנוגעות למדינת ישראל, לרבות: מעמד המשפט הבינלאומי בשיטת המשפט הישראלית, היווצרותה של מדינת ישראל והמעמד המשפטי של פלסטין, המעמד המשפטי של ירושלים והשטחים המוחזקים על ידי מדינת ישראל, תהליך השלום במזרח התיכון, מלחמות ישראל לרבות הסכסוכים הא-סימטריים בהם היא נוטלת חלק, מדיניות וחוקי ההגירה בישראל, ישראל והמשפט הבינלאומי הפלילי, יחסי ישראל עם גושי סחר.

Two main books will be used during the course:

1. Malcolm N. Shaw, *International Law* (7th Ed., 2014) ("Shaw").
2. James Crawford, *Brownlie's Principles of Public International Law* (8th ed., 2012) ("Crawford").

Part I: Introduction to PIL

1. The Nature of PIL

□ Shaw, 1-8, 31-48.

- Further reading (optional): David Kennedy, "International Law and the Nineteenth Century: History of an illusion", 17 *Quinnipiac L. Rev.* 99 (1997).
- Further reading (optional): Hercules Booyesen, "Is International Law Relinquishing its Exclusively Public Law Nature?", 4 *Tulsa J. Comp. & Int'l L.* 219 (1997).

2. Historical development of PIL

□ Shaw, 9-22.

- S.S. "Lotus" (*Fr. v. Turk.*), (1927) P.C.I.J. (Ser. A) No. 10, p. 10-12, 16-20.
- Further reading (optional): Antony Anghie, "The Evolution of International Law: Colonial and Postcolonial Realities", 27 *Third World Quarterly* 739 (2006).

3. Theory of PIL - Why do States comply

□ Samantha Besson and John Tasioulas, Introduction, in *The Philosophy of International Law* (Besson and Tasioulas, eds., 2010) p. 1-19.

- Moshe Hirsch, □ Compliance with International Norms in the Age of Globalization: Two Theoretical Perspectives□, in *The Impact of International Law on International Cooperation* (Eyal Benvenisti and Moshe Hirsch, eds., Cambridge University Press, 2004), pp. 166-193.
- Further reading (optional): Martti Koskeniemi, "The Politics of International Law", 1 *European Journal of International Law* 4 (1990), p. 4-13.

4. Sources of PIL

□ Shaw, 49-91, 654-693.

- Statute of the International Court of Justice, June 26, 1945, 1 U.N.T.S. 993, articles 38, 59.
- Vienna Convention on the Law of Treaties, 1155 U.N.T.S. 331 (1969), articles 1-3, 6-7, 11, 19-21, 24, 26-32, 39-40, 42, 48-64.
 - Military and Paramilitary Activities in and against Nicaragua (*Nicar. v. U.S.*), (1986) I.C.J. 14, paras. 172-186.
- Further reading (optional): *Asylum (Colom./Peru)*, Judgment, (1950) I.C.J. 266, p. 276-278.
- Further reading (optional): *North Sea Continental Shelf (Fed. Rep. Ger./Den.; Fed. Rep. Ger./Neth.)*, Judgment, (1969) I.C.J. 3, paras. 70-81.
 - Further reading (optional): M. Cherif Bassiouni, "A Functional Approach to 'General Principles of International Law'", 11 *Mich. J. Int'l L.* 768 (1990).
 - Further reading (optional): Julian D. Mortenson, "The Travaux of Travaux: Is the Vienna Convention Hostile to Drafting History?", 107 *AJIL* 780 (2013).

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- *Further reading (optional): Rosalyn Higgins, Problems and Process: International Law and How We Use It (1994), chapter 12 - The Role of National Courts in the International Legal Process.*

5. *The relation between PIL and domestic law*

□ *Shaw, 92-142.*

- *Vienna Convention on the Law of Treaties, 1155 U.N.T.S. 331 (1969), articles 27, 46.*

□ *Articles on Responsibility of States for Internationally Wrongful Acts, A/56/83 (2001), article 3.*

□ *Further reading (optional): General Commentary on the ILC Articles on Responsibility of States for Internationally Wrongful Acts, 92, Report of the ILC on the work of its fifty-third session, A/CN.4/SER.A/2001/Add.1 (Part 2) (2001), commentaries to article 3 (p. 36-38).*

- *Further reading (optional): Crawford, Part I(3): The Relations of International Law and National Law.*

Part II: PIL Institutions and Actors

6. *The State*

□ *Shaw, 142-178, 183-188.*

- *Convention on the Rights and Duties of States (Montevideo Convention) (1933), 165 L.N.T.S. 19, article 1.*

- *ICC, Office of the Prosecutor, Update on the Situation in Palestine, 3 April 2012.*

□ *ICC Press Release. The Prosecutor of the International Criminal Court, Fatou Bensouda, opens a preliminary examination of the situation in Palestine, 16 Jan. 2015.*

□ *Further reading (optional): Jurisdictional Immunities of the State (Ger. v. It.: Greece intervening), Judgment, 2012 I.C.J. 99, paras. 20-38, 62-63, 78-80, 91-94, 96-98, 101-104, 107-110, 119-121, 131-139.*

□ *Further reading (optional): Thomas D. Grant, "Defining Statehood: The Montevideo Convention and its Discontents", 37 Colum. J. Transnat'l L. 403 (1999).*

□ *Further reading (optional): Michael Shane French-Merrill, "The Role of the United Nations and Recognition in Sovereignty Determinations: How Australia Breached its International Obligations in Ratifying the Timor Gap Treaty", 8 Cardozo J. Int'l & Comp. L. 285 (2000).*

□ *Further reading (optional): Crawford, Part II(5) □ Creation and Incidence of Statehood; Part II(6) □ Recognition of States and Governments.*

7. *State responsibility*

□ *Shaw, 566-612.*

□ *Articles on Responsibility of States for Internationally Wrongful Acts, A/56/83 (2001).*

□ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosn. & Herz. v. Serb.), Merits, Judgment, 2007 I.C.J. 43. paras. 425-450.*

□ *Further reading (optional): General Commentary on the ILC Articles on Responsibility of States for Internationally Wrongful Acts, 92, Report of the ILC on*

the work of its fifty-third session, A/CN.4/SER.A/2001/Add.1 (Part 2) (2001),
commentaries to articles 4-11, 20-25.

- Further reading (optional): Davis B. Tyner, "Correcting the International Criminal Tribunal for the Former Yugoslavia's Folly in Tadic", 18 Fla. J. Int'l L. 843 (2006).
- Further reading (optional): Crawford, Part IX(25) □ The conditions for international responsibility; Crawford, Part IX(25) □ Consequences of an Internationally Wrongful Act.

8. Immunities:

□ Shaw, p. 506-565.

- United Nations Convention on Jurisdiction Immunities of States and their Property, 2004, UN Doc. Doc. A/59/508.
- Jurisdictional Immunities of the State (Ger. v. It.: Greece intervening), Judgment, 2012 I.C.J. 99, paras. 92-97.
- PLA 7092/94, Her Majesty the Queen in Right of Canada v. Sheldon G. Edelson, tak-Supreme 97(2) (Supreme Court of Israel), paras. 1, 5-12, 15-16, 21-35.
- Further reading (optional): Elena Sciso, "Foreign State Immunity at Home and Abroad: Italian Judges' Point of View on Foreign States' Immunity", 44 Vand. J. Transnat'l L. 1201 (2011).
- Further reading (optional): David P. Stewart, "The Immunity of State Officials under the UN Convention on Jurisdictional Immunities of States and Their Property", 44 Vand. J. Transnat'l L. 1047 (2011).

9. International Organisations

□ Shaw, p. 875-931.

- Charter of the United Nations, 1 U.N.T.S. XVI (1945), articles 1-2, 4, 7, 10-12, 18, 23-25, 33, 39-51, 57, 61-63.
- Further reading (optional): Guy Harpaz, "Normative Power Europe and The Problem of a Legitimacy Deficit: An Israeli Perspective", 12 European Foreign Affairs Review 89 (2007).
- Further reading (optional): Bruno Simma, □From Bilateralism to Community Interest in International Law□, in Collected Courses of the Academy of International Law, Vol. 250, 1994.
- Further reading (optional): Guy Harpaz, "Judicial Review by the European Court of Justice of UN "Smart Sanctions" against Terror in the Kadi Dispute", 14 EFAR 65 (2009).
- Further reading (optional): Giuseppe Mancini, "The Making of a Constitution for Europe", 26 Common Market Law Review 595 (1989).
- Further reading (optional): Amitai Etzioni, "The Community Deficit", 45.1 Journal of Common Market Studies 23 (2007).
- Further reading (optional): Helen Sjursen, "Why Expand?: The Question of Legitimacy and justification in the EU's Enlargement Policy", 40.3 Journal of Common market Studies 491 (2002).

10. The Pacific Settlement of Disputes

□ Shaw, 732-765.

- *Charter of the United Nations*, 1 U.N.T.S. XVI (1945), articles 1-2, 25, 33, 39-51.
- *Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marsh. Is. v. Pak.)*, I.C.J., Judgment of 5 October 2016, paras.25-40.
- *Further reading (optional): Statute of the International Court of Justice*, June 26, 1945, 1 U.N.T.S. 993, articles 34-38, 40, 59-62, 65.
- *Further reading (optional): United Nations, Handbook on the Peaceful Settlement of Disputes Between States (New York, 1992).*

Part III: Main PIL Regimes

11. Acquisition of Territory under International Law

□ *Shaw*, 352-400.

□ *Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States*, U.N. Doc. A/5217 (1970).

□ *Further reading (optional): Timothy W Waters, "The Blessing of Departure: Acceptable and Unacceptable State Support for Demographic Transformation: The Lieberman Plan to Exchange Populated Territories in Cisjordan"*, 2.1 *Law and Ethics of Human Rights* 1 (2008).

□ *Further reading (optional): Yuval Shany, "Redrawing Maps, Manipulating Demographics: On Exchange of Populated Territories and Self-Determination"*, 2.1 *Law and Ethics of Human Rights* 286 (2008).

□ *Further reading (optional): Catriona Drew, "The East Timor Story: International Law on Trial"*, 12 *European Journal of International Law* 651 (2001).

□ *Further reading (optional): Declaration of the Granting of Independence to Colonial Countries and Peoples*, U.N. Doc. A/4684 (1960).

□ *Further reading (optional): Western Sahara, Advisory Opinion*, (1975) I.C.J. 12, paras. 48-65, 70-72.

□ *Further reading (optional): Legal Status of Eastern Greenland (Den. v. Nor.)*, 1933 P.C.I.J. (ser. A/B) No. 43 (Apr. 5).

12. The Prohibition Against the Use of Force

□ *Shaw*, 811-846.

□ *Dinstein Y., War, Aggression and Self-Defence (5th ed., 2011)*, chapter 3.

□ *Charter of the United Nations*, 1 U.N.T.S. XVI (1945), articles 2, 33-51.

□ *General Assembly Resolution 3314 of 14 December 1974.*

□ *Oil Platforms (Iran v. U.S.)*, Judgment, 2003 I.C.J. 161, paras. 73-77.

□ *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion of 9 July 2004*, 43 ILM 1009, paras.138-142.

□ *Report of the High-Level Panel on Threats, Challenges and Change, A More Secure World: Our Shared Responsibility (A/59/565, 2 December 2004)*, paras. 199-209.

□ *Further reading (optional): Security Council Resolution 1701 of 11 August 2006.*

□ *Further reading (optional): Security Council Resolution 1860 of 20 March 2008.*

□ *Further reading (optional): Security Council Resolution 1973 of 17 March 2011.*

□ *Further reading (optional): Leila Nadya Sadat, "Presidential Powers and Foreign Affairs: Rendition and Targeted Killings of Americans: America's Drone Wars"*, 45

Case W. Res. J. Int'l L. 197 (2012).

□ Further reading (optional): Matthew C. Cooper, "A Note to States Defending Humanitarian Intervention: Examining Viable Arguments before the International Court of Justice", 40 *Denv. J. Int'l L. & Pol'y* 167 (2012).

□ Further reading (optional): Michael N. Schmitt, "The Law of Cyber Warfare: Quo Vadis?", 25 *Stan. L. & Pol'y Rev* 269 (2014).

□ Further reading (optional): Thomas M. Franck, *Recourse to Force: State Action against Threats and Armed Attacks* (2002) Ch. 10.

13. International Humanitarian Law

□ Shaw, 847-875.

□ Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land, 187 *Consol. T.S.* 227 (Hague 1907), para.8 to the preamble, articles 2-25, 43.

□ Convention (III) relative to the Treatment of Prisoners of War, Geneva, 12 August 1949, 75 *U.N.T.S.* 135, articles 1-7, 13, 17, 24, 118, 129, 130.

□ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), Geneva, 8 June 1977, 1125 *U.N.T.S.* 3, articles 1, 20, 35-37, 43, 44, 48-55, 57-58, 65, 83, 85.

□ Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, (1996) *I.C.J. Rep* 226, paras. 74-87.

□ Further reading (optional): Final Report to the Prosecutor by the Committee Established to Review the NATO Bombing Campaign against the Federal Republic of Yugoslavia, 39 *I.L.M.*1257 (2000).

□ Further reading (optional): David Kretzmer, "Exploring the Need for Additional Norms to Govern Contemporary Conflict Situation: Rethinking the Application of IHL in Non-International Armed Conflicts", 42 *Isr. L. Rev.* 8 (2009).

□ Further reading (optional): Cordula Droege, "The Interplay between International Humanitarian Law and International Human Rights Law in Situations of Armed Conflict", 40 *Isr. L. Rev.* 2 (2007).

□ Further reading (optional): T. Meron, "The Humanization of Humanitarian Law", 94 *AJIL* 239 (2000).

□ Further reading (optional): J. Henckaerts & L. Doswald-Beck, *Customary International Humanitarian Law* (2006), introduction.

14. The Laws of Occupation

□ Yoram Dinstein, *The International Law of Belligerent Occupation* (2009), p. 31-67.

□ Guy Harpaz and Yuval Shany, "The Israel Supreme Court and the Incremental Expansion of the Scope of Discretion under Belligerent Occupation Law", 43.3 *Isr. L. Rev.* 514 (2010).

□ Yuval Shany, "Faraway, So Close: The Legal Status of Gaza after Israel's Disengagement", 8 *Yearbook Int'l Human. L.* 369 (2005).

□ Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land, 187 *Consol. T.S.* 227 (Hague 1907), articles 42-43, 53-55.

□ Convention (IV) relative to the Protection of Civilian Persons in Time of War,

Geneva, 12 August 1949, 75 U.N.T.S. 287, articles 5, 8, 27, 31, 33, 34, 49, 146, 147.

□ *Further reading (optional)*: Yuval Shany, "Binary Law Meets Complex Reality: The Occupation of Gaza Debate", 41 *Isr. L. Rev.* 68 (2008).

□ *Further reading (optional)*: Yuval Shany, "Capacities and Inadequacies: A Look at the Two Separation Barrier Cases", 38 *Isr. L. Rev.* 230 (2005).

□ *Further reading (optional)*: Yuval Shany, "Head Against the Wall? Israel's Rejection of the Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territories", 17 *Yearbook Int'l Human. L.* 352 (2004).

□ *Further reading (optional)*: David Kretzmer, *The Occupation of Justice: The Supreme Court of Israel and the Occupied Territories* (2002), Ch. 2.

□ *Further reading (optional)*: Eyal Benvenisti, *The International Law of Occupation* (1993), Ch. 2-3.

15. International Human Rights Law

□ Shaw, 194-248.

□ *Universal Declaration of Human Rights*, G.A. Res. 217(III), 71 UN GAOR Supp. (No.13), UN Doc. A/810 (1948), preamble and articles 3-11.

□ *International Covenant on Civil and Political Rights*, 999 U.N.T.S. 171 (1966), articles 1-2, 4, 6, 7, 9, 14, 19.

□ *International Covenant on Economic, Social, and Cultural Rights*, 993 U.N.T.S. 3 (1966), articles 1-2, 5.

□ *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, G.A. Res. 39/46, U.N. Doc. A/39/51 (1984), articles 1-5, 16.

□ *Human Rights Committee, General Comment 29*, U.N. Doc. CCPR/C/21/Rev.1/Add.1 (2001).

□ *Further reading (optional)*: *Al-Skeini v. United Kingdom*, App. No. 55721/07 Eur. Ct. H.R., 50 ILM 995 (2011).

□ *Further reading (optional)*: *Kiobel v. Royal Dutch Petroleum Co.*, Supreme Court of the United States No. 10-1491 (2013).

□ *Further reading (optional)*: Samantha Miko, "Al-Skeini v. United Kingdom and Extraterritorial Jurisdiction under the European Convention for Human Rights", 35 *B.C. INT'L & COMP. L. REV.* 63 (2013).

□ *Further reading (optional)*: David Kennedy, "The International Human Rights Movement: Part of the Problem?", 15 *Harv. Hum. Rts. J.* 101 (2002).

□ *Further reading (optional)*: Nigel S. Rodley, "The Prohibition of Torture: Absolute Means Absolute", 34 *Denv. J. Int'l L. & Pol'y* 145 (2006)

16. International Criminal Law

□ Shaw, 285-321.

□ *Rome Statute of the International Criminal Court*, July 17, 1998, U.N. Doc. A/CONF.183/9, articles 1, 5-8, 11-21.

□ *Arrest Warrant of 11 April 2000 (Dem. Rep. Congo v. Belg.)*, ICJ Judgment of 14 Feb. 2002, Joint Separate Opinions of Higgins, Kooijmans and Buergenthal, paras. 40-65.

□ *Further reading (optional)*: *Attorney-General v. Eichmann*, 36 ILR 5, 298 (S.C.

1961)(Isr.).

- *Further reading (optional): P. Clarke, "Hybridity, Holism and "Traditional" Justice: The Case of the Gacaca Courts in Post-Genocide Rwanda", 39 George Washington International Law Review 765 (2007).*
- *Further reading (optional): Kieran McEvoy, "Beyond Legalism: Towards a Thicker Understanding of Transitional Justice", 34 Journal of Law and Society 411 (2007).*
 - *Further reading (optional): Douglas Sheehan, "The Backdoor to the ICC: Jurisdiction Over Dual Nationals and the Shadow of the Court", 17 New Eng. J. Int'l & Comp. L. 347 (2011).*
 - *Further reading (optional): Lucy Martinez, "Prosecuting Terrorists at the International Criminal Court: Possibilities and Problems", 34 Rutgers L. J. 1 (2002).*
 - *Further reading (optional): Robert Cryer, Hakan Friman, Darryl Robinson & Elizabeth Wilmshurst, An introduction to International Criminal Law and Procedure (2007), part 1.*

17. International Economic Law

- *Michael Trebilcock & Robert Howse, The Regulation of International Trade (4th ed., 2013), p. 1-54.*
- *David Palmetier and Petros C. Mavroidis, "The WTO Legal System: Sources of Law", 92.3 American Journal of International Law 398 (1998).*
- *General Agreement on Tariffs and Trade (GATT), Articles I, III, VI, XI, XX, XXI.*
- *Further reading (optional): Joost Pauwelyn "The Role of Public International Law in the WTO: How Far Can We Go?", 95 American Journal of International Law 535 (2001).*
- *Further reading (optional): Joseph Weiler, "The Rule of Lawyers and the Ethos of Diplomats: Reflections on the Internal and External Legitimacy of WTO Dispute Settlement", 35.2 Journal of World Trade 191 (2001).*
- *Further reading (optional): Simon Lester, "The Role of the International Trade Regime in Global Governance", 16 UCLA J. Int'l L. & For. Aff. 209 (2011).*

18. International Environmental Law

- *Shaw, 613-653.*
- *Bodansky, Daniel. "Chapter 1: What is International Environmental Law?" The Art and Craft of International Environmental Law. Harvard University press 2010: 1-17.*
 - *Further reading (optional): Declaration of the United Nations Conference on the Human Environment, adopted June 16, 1972, U.N. Doc. A/CONF.48/14, reprinted in 11 I.L.M. 1416 (1972).*
 - *Further reading (optional): Rio Declaration on Environment and Development, adopted June 14, 1992, U.N. Doc. A/CONF.151/5/Rev. 1 (1992).*
 - *Further reading (optional): Neil Craik, "Recalcitrant Reality and Chosen Ideals: The Public Function of Dispute Settlement in International Environmental Law", 10 Geo. Int'l Env'tl. L. Rev. 551 (1998).*
- *Surya P. Subedi, "Balancing International Trade with Environmental Protection". 25 Brooklyn Journal of International Law 373 (1999).*

Part IV: A deeper look into Israel and PIL

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19. Status of International Law under Israeli Law
20. Israel: Recognized borders and territorial disputes
□ Yuval Shany, "Legal Entitlements, Changing Circumstances and Inter-temporality"
(the article was uploaded to the website of the course).
21. Israel's Asymmetric Armed Conflicts
22. Israel's immigration law and policy
HCJ 7146/12 Adam v Knesset, Judgment of 16 Sept. 2013, paras. 66-69, 91-93,
106-115 (per Arbel J).
23. Israel and International Criminal Law
24. Israel's Relations with Trade Blocks

חומר לקריאה נוספת:
כמפורט לעיל

הערכת הקורס - הרכב הציון הסופי :
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