

# **Introduction to International Law**

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# What is International Law?

## What is law?

Law and moral

Legal methodology

Sources of law

Common law and civil law

Areas of law

Private and public law

Formal and substantive law

European Union Law

The International Court of Justice

# Sources of International Law

The Statute of International Court of Justice

International conventions

Recognized by the contesting states

Treaties, international conferences and UN resolutions

International custom ('customary law')

Evidence of a general practice accepted as law

Duration, consistency and generality

International conventions as customary law

# Sources of International law

## General principles of law

Recognized by civilized nations

General conception of law and natural law

## Judicial decisions

Not a source of law, but evidence of law

In principle all courts

## International Court of Justice

No binding force except between the parties

# Source of International Law

Teaching of the most highly qualified publicist  
Int. Law Commission, Hague conference etc.

## Principles in international law

Equity - considerations of fairness

Humanity

Comity - Neighbourliness and mutual respect

# The state

A stable, physically delimited homeland

Sovereignty, jurisdiction and administration

The Allied's supreme power in Germany

The invasion of Iraq

The Dutch Community in Amager

# Territorial Sovereignty

## Territory

Government and population

Land territory

Territorial subsoil

Airspace

Internal waters

## Outer space

## Jurisdiction and enforcement

## Article 10 – Freedom of expression

- 1 Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.
- 2 The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

# Case: markt intern Verlag

What are:

1. The facts
2. The law
3. The arguments
4. The conclusions

# Thank you for your attention!

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