International law

3 pool

2 entity

1 slavery

4 humanitarian

International law

International law refers to laws that govern the conduct of independent nations in their relationships with each another. There are three distinct disciplines:

1. **Public international law** governs the relationship between international **entities**, be they groups or individuals. It includes international criminal law, international **humanitarian** law and maritime law (i.e. the law of the sea).

2. **Private international law** addresses the question of under which jurisdiction a case may be heard.

3. **Supranational law** is a system in which member states **pool** their authority. The supranational body is able to enforce legal norms for and against member states and their citizens. An example of such a system is the European Union's European Community Law.

Sources of International Law

There are two primary sources of International Law:

1. **Customary Law**
These are the aspects of international law which **derive** from custom. Examples include the rules governing various **international crimes** such as **slavery** or **genocide**.

2. **Conventional Law**
Conventional international law derives from international agreements and **treaties**. Arguably, the practices of international organizations such as the **United Nations** are an additional source of international law.

Rules established by treaty are usually given preference if they exist. However, new customs may **supersede** older treaties and new treaties may **override** older customs.

Get ready!

① **Before you read the passage, talk about these questions.**

1 What happens if there is a disagreement between two countries?

2 Who is responsible for making international laws?

Reading

② **Read this excerpt from a law text book and complete the table.**

Laws that come from customs	1	_____
Laws that come from treaties	2	_____
Laws made by pooling member states' authority	3	_____
The law governing international relationships	4	_____
The law which governs jurisdictions	5	_____

Vocabulary

③ **Match the word (1-6) with the definition (A-F).**

1 __ public International law

2 __ supranational law

3 __ humanitarian law

4 __ customary law

5 __ conventional law

6 __ private international law

A laws that originate from treaties

B laws which govern how countries interact

C laws which govern the jurisdiction of cases

D laws which originate from customs

E laws that govern war

F laws enforced by many pooled authorities

4 Read the sentence pairs. Choose where the words best fit in the blanks.

1 **supersede / derive**

The laws _____ from a treaty written in 1857.

The new law will _____ the old one.

2 **pool / override**

The organizations want to _____ their clients to create one large organization.

These new customs _____ the old treaty in this case.

3 **genocide / slavery**

_____ has reduced the population by a third.

_____ forces people to work with no pay.

4 **entity / treaty**

Twenty countries have signed the _____ .

The northern area is sometimes considered a separate _____ .

5 ⊙ Listen and read the text again. How many distinct disciplines and sources of international law are there? What is each about?

Listening

6 ⊙ Listen to two students discussing international law. Mark the following statements as true (T) or false (F).

1 ___ Public international law applies to multinational companies.

2 ___ Customary and conventional law are both sources of law.

3 ___ Customary law is based on international agreements and treaties.

7 ⊙ Listen again and complete the conversation.

S 1: So, what's 1 _____ then?

S 2: That determines which legal system and which jurisdiction applies to a 2 _____ .

S 1: Hmm ... Can you explain 3 _____ and conventional law?

S 2: Sure. They're both sources of international law. That's where the rules come from.

S 1: And what's the difference between the two?

S 2: Customary law is the law that 4 _____ from the customs of states over the years.

S 1: Oh, like attitudes towards 5 _____ and things like that?

S 2: Yes. And 6 _____ comes from treaties and international agreements, and increasingly from the practices of international organizations.

Speaking

8 With a partner, act out the roles below based on Task 7. Then, switch roles.

USE LANGUAGE SUCH AS:

I find this international law ...

Do you want some help?

And what's the difference ...

Student A: You are a law student having trouble with international law. Ask Student B about:

- public and private international law
- customary and conventional law

Student B: You are a law student. Answer Student A's questions.

Writing

9 You are a student at law school. Use the reading passage and the conversation from Task 8 to make notes for your friend on international law (100-120 words). Consider:

What is public international law?

What is private international law?

Where do international laws come from?