

JUSTITIA ET PACE
INSTITUT DE DROIT INTERNATIONAL

Session of Athens - 1979

Teaching of International Law

*(Third Working Group, Rapporteur : Mr Jaroslav Zourek
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(The French text is authoritative. The English text is a translation.)

The Institute of International Law,

Recalling the Recommendation on the Teaching of International Law which it adopted in Rome on 14 September 1973 at its Centenary,

Stressing the primary importance of international law for the maintenance of international peace and security and for the development of trade and relations between individuals at international level,

Mindful of the expanding internationalization of social relationships and the growing impact of international factors on the most diverse aspects of the lives of individuals, peoples and States,

Considering that the requirements of the international community call for the training of new generations open to the realities and problems of international life,

Expressing the wish that teaching in general, in elementary and secondary schools as well as in institutes of higher learning, be adapted in all countries to the need for better understanding of the international community,

Noting that in many countries law is still taught essentially or even exclusively along the lines of national considerations and methods and that the teaching of international law whether public or private, is often quantitatively and qualitatively inadequate to meet the demands of our times and is not provided in a sufficiently international perspective,

Whereas this entails a host of unfavourable consequences which are often not appreciated or are underestimated and leads, in particular, to inadequate preparation for the needs of contemporary international life in the relations between both individuals and States.

Considering further that the essential role of international law in preventing and solving difficulties which may arise in international relations has been highlighted in many Resolutions of the United Nations General Assembly,

Taking into account in particular Resolutions 137 (II) of 17 November 1947 and 176 (II) of 21 November 1947, in which the United Nations General Assembly invited Member States to encourage the teaching of international law,

Considering the obligations to disseminate humanitarian law as set forth in the Geneva Conventions of 1949 and the Protocols of 1977 thereto, as well as the Resolution adopted on this subject on 7 June 1977 by the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts,

Considering finally that private international law nowadays constitutes an essential means for the security and development of trade and relations between individuals at international level,

Hereby adopts this Resolution :

I

1. It is essential that specific measures be taken in universities, faculties or similar institutions teaching law, economics, political science or international relations to promote development and coherence of all subjects of international relevance.
2. In addition to public international law (inclusive of humanitarian law) and private international law in its broadest sense, these subjects are to include the study of international co-operation, especially in the economic field.
3. The value of the comparative method of investigation and its potential contribution towards better international understanding must not be overlooked in the study of these subjects.

II

1. Knowledge of public international law has become indispensable for the training of the ever-increasing number of experts required by States and international organizations and highly desirable for the training not only of lawyers in general, but also of many civilian and military holders of office.
2. It is necessary that compulsory basic teaching covering public international law and international organizations, as well as optional specialized teaching, be made general in universities, faculties, law schools and similar institutions.

3. It is essential to ensure, for the public at large, a wide dissemination of the main principles of public international law.

III

1. Knowledge of private international law in a broad sense has become indispensable for the training not only of the ever-increasing number of experts called for by the expanding internationalization of social relationships, but also of practitioners in general (barristers, judges, company lawyers, etc.) and of any person that may have to deal with legal or economic issues of international relevance.

2. It is necessary that compulsory basic teaching covering private international law, as well as optional specialized teaching, be made general in universities, faculties, schools of law or commercial science and similar institutions. Bearing in mind the methods and techniques peculiar to this discipline and the advisability of harmonizing national solutions in this regard, it is desirable that such teaching, whether basic or specialized, be provided in a comparatist and international spirit.

IV

Contemporary developments call for public as well as private international law to be studied and taught in such a way as to stress the links between both disciplines, especially in the field of economic relations, and to depart from conceptions based on a rigid separation between public law and private law.

V

In consideration of the foregoing, the Institute of International Law

Requests all its Members and Associates to contribute by all appropriate means, especially through their publications, to the circulation of this Resolution and to the fulfilment of the wishes and recommendations formulated above,

Urgently appeals to political authorities, universities and other educational institutions to examine, in the light of the foregoing recitals and declarations and of the present and foreseeable demands of an increasingly international world, the place set aside in their programmes for international legal disciplines and the methods of teaching such disciplines, without prejudice to more general measures by which a basic knowledge of international law could be disseminated and popularized.

Emphasizes the vital role being played in the progress of international law by national and international institutions, whether scientific or professional, which take an active part in teaching,

Calls attention in particular to the decisive contribution made by the The Hague Academy of International Law since its foundation in 1923, while deploring that today its work is threatened by financial problems,

Decides to establish a standing committee of the Institute to follow up the development of the teaching of international law in the spirit of this Resolution.

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(12 September 1979)