

**Ministry of Education and Science of Ukraine  
Yaroslav Mudryi National Law University  
Department of the European Union Law**

**WORK PROGRAMME OF ACADEMIC DISCIPLINE  
«INTERNATIONAL ENERGY LAW»**

**Level of higher education** – second (master's) level

**Degree of higher education** – master's degree

**Field of knowledge** – 29 «International relations»

**Speciality** – 293 «International Law»

**Discipline status** – optional

**Recruitment year** – 2022

Kharkiv – 2022

**Work programme of academic discipline** «International Energy Law» for students of the second (Master's) level of higher education in the field of knowledge 29 «International relations», speciality 293 «International law». Kharkiv: Yaroslav Mudryi National Law University, 2022. 26 p.

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### 1. Description of the academic discipline

The «International Energy Law» academic discipline working programme was developed in accordance with the educational and professional programme «International Law» of the second (master's) level of higher education, the field of knowledge 29 «International Relations», speciality 293 «International Law».

Name of indicators	Field of knowledge, speciality, level of education	Didactic structure of the academic discipline	
		full-time education	part-time education
The number of ECTS credits - 4.0	Field of knowledge - 29 «International relations»  Speciality - 293 «International Law»  Level of education - second (master's)	Optional	Optional
The number of modules - 2		Year of recruitment: 2022	Year of recruitment: 2022
		semester	semester
The total number of academic hours - 120		3	3
		<b>Lectures</b>	<b>Lectures</b>
		18 hours	6 hours
		<b>Practical/seminar classes</b>	<b>Practical/seminar classes</b>
		20 hours	4 hours
		<b>Students' independent work</b>	<b>Students' independent work</b>
		82 hours	110 hours
Weekly academic hours for full-time students: practical classes - 2 - 4, students' independent work - 6 - 8.		Types of control: current control; final control of knowledge (credit)	Types of control: current control; final control of knowledge (credit)

*The purpose* of the academic discipline is formation of a system of scientific knowledge in the field of legal regulation of international energy relations at both the universal and regional levels, development of basic abilities and skills in the application of rules of international energy law, intensification of analytical activities of higher education students, conducting research work in the field of international energy relations and international energy security legal regulation.

#### *Tasks:*

- mastering theoretical knowledge developed by the science of international energy law in the field of international energy relations;

- development of regulatory material resulting from the cooperation of states and other subjects of international energy law;
- determination of current problems of the development of legal regulation of relations between subjects of international energy law and directions of modern scientific research in this field;
- familiarization with the judicial and arbitration practice of international bodies that consider disputes in the field of international regulation of energy issues;
- development of skills and abilities to apply the rules of international energy law in practice, taking into account the problems of the development of international relations in the field of energy and in the conditions of the need to achieve energy security.

*Prerequisites:* European Private International Law, Legal Regulation of the European Union Internal Market, Competition (Antitrust) Law.

*Co-requisites:* WTO Law, Tax Law, International Tax Law.

## ***2. Expected learning outcomes***

As a result of mastering the academic discipline, students must demonstrate the following learning outcomes:

LO 1.	Demonstrate knowledge of key concepts, principles, theories and doctrines of international energy law, determine the place of international energy law in the system of modern public international law.
LO 2.	Reveal knowledge of the main stages of the evolution of international energy law, its main institutions, characterize the current state and directions of further development of international legal energy cooperation in the context of globalization.
LO 3.	Demonstrate knowledge of the specifics of the subject, special principles, sources of international energy law, and its system structure.
LO 4	Carry out a critical analysis of judicial and arbitration practice in cases related to the resolution of international energy disputes regarding the interpretation and peculiarities of the application of international legal rules in the relevant field.
LO 5	Determine the limits of legal personality of various participants in international energy relations; discuss the scope of competence of legal entities and their associations, non-governmental organizations in international energy legal relations.
LO 6	Identify problems of legal regulation of international energy law within individual institutions, propose ways to overcome them in accordance with the principles of international energy law, fundamental principles of international law, general

	principles of law, practice of international organizations, and modern doctrinal developments on the relevant issues
LO 7	Reveal the peculiarities of the international legal regulation of the cooperation between states in the field of use and circulation of hydrocarbon energy sources, electric and nuclear energy, renewable energy and energy efficiency.
LO 8	Characterize the stages of development, principles and main directions and institutional mechanisms of international legal cooperation in the field of ensuring energy security.
LO 9	Demonstrate knowledge of the main mechanisms, rules and procedures for resolving disputes in international energy law.
LO 10	Provide professional advice on the essence and methods of international legal protection of the rights and interests of subjects of international energy law.
LO 11	Characterize the strategic directions of foreign policy activity of Ukraine in the energy sphere, the effectiveness of cooperation in the relevant directions.
LO 12	Carry out an analysis of the legislation of Ukraine for compliance with the rules of international energy law, formulate proposals regarding the approximation of national legal acts to the corresponding legal amendment.

The teaching of the academic discipline ensures the formation of general and special competences of the higher education student and the achievement of learning outcomes determined by the standard of higher education of the relevant speciality and the educational and professional programme «International Law», namely:

***General competencies:***

GC 1. The ability to think critically, analyse and synthesise.

GC 2. The ability to identify and solve problems arising in the professional sphere, to formulate and ask questions for their further solution.

GC 6. The ability to work effectively in an intercultural environment, in particular to develop and manage international projects.

GC 7. The ability to conduct research at an appropriate level.

GC 9. The ability to solve problems of an innovative nature and to find alternative solutions in professional activity.

GC 10. The ability to work (collect, receive, systematize and synthesize) with various types of information from various sources, analyze and critically and constructively evaluate it, taking into account the cross-cultural features of subjects of international relations.

GC 11. The ability to use the latest information and communication technologies for professional purposes.

GC 12. The ability to formulate a personal opinion and present it with

evidence.

GC 15. The ability to understand the specifics of the subject sphere and professional activity, make reasonable, balanced decisions and be aware of their ethical consequences.

GC 16. The ability to communicate with representatives of others professional groups of different levels, from other fields of knowledge and types of activities, as well as the ability to work in international professional environment.

***Special competencies:***

SpC 1. The ability to critically analyse problems and regularities of the functioning and development of international relations, to determine trends in the development of world politics, to assess the impact of global political processes on national legal, political and economic systems.

SpC 3. The ability to independently provide legal representation of the interests of individuals, legal entities or the state when considering cases in national and international institutions and organize the provision of legal services.

SpC 4. The ability to comprehensively use highly specialized knowledge in specific areas of regulation of international public law, international private law, and European Union law to solve applied problems.

SpC 7. The ability to represent the interests of Ukraine or individuals and legal entities in international judicial institutions, arbitrations, national courts of foreign countries.

SpC 8. The ability to work and represent the interests of Ukraine in international intergovernmental organizations.

SpC 11. The ability to ensure the implementation of international legal standards in certain areas of national legislation.

SpC 12. The ability to conduct research and/or introduce innovations in various fields and institutions of international public law, international private law, European Union law.

SpC 14. The ability to apply an interdisciplinary approach in the assessment of international legal phenomena and international relations using legal tools.

SpC 16. The ability to work with international documentation (treaties, acts of international organizations and bodies, etc.), to determine their legal nature, to draw up projects and accompanying documentation in Ukrainian and foreign languages.

SC 21. The ability to communicate effectively in an international, multicultural environment using knowledge in the fields of international law, European law and international relations.

***Programme learning outcomes:***

PLO 1. Analyse multifaceted problems of international and national legal content and propose ways to solve them.

PLO 4. Understand the international legal situation, forecast its development, professionally and critically evaluate events and phenomena in the field of international relations and world politics, using legal tools.

PLO 5. Provide legal representation of the client in national courts, international commercial arbitrations, state authorities and local governments.

PLO 8. To prepare drafts of international treaties and acts of national legislation, to provide proposals for eliminating conflicts between the norms of international law, as well as for bringing the norms of national law into compliance with the norms of international law.

PLO 11. Demonstrate communication skills with representatives of other professional groups of various levels, other fields of knowledge and types of activities, as well as the ability to work in an international, intercultural environment; organize and conduct negotiations.

PLO 17. Conduct research on international legal topics, using primary sources and methods of legal interpretation of complex problems arising from this research, argue the conclusions and present the research results.

PLO 19. To demonstrate knowledge of the evolution, state and development



prospects of legal regulation of various spheres of international cooperation, to be aware of the consequences of the convergence of legal systems in the conditions of globalization and regional integration.

### **3. Content of the programme of the academic discipline**

Module 1. General characteristics of international energy law.

*Concept and system of international energy law.* Formation and evolution of international energy law. Concept, subject and functions of international energy law. The system and content of the principles of international energy law, their relationship with the basic principles of international law. The place of international energy law in the system of modern international law. The structure of international energy law and modern trends in its development. International energy law and policy, the relationship between international energy law and domestic law in the relevant field.

*Subjects of international energy law.* The state as a subject of international energy law. Groups of states and interstate associations in international energy law (International Energy Forum, Big Seven, Big Twenty). International intergovernmental organizations in the field of energy. Organization for Economic Co-operation and Development, International Energy Agency. Organization of the Petroleum Exporting Countries. International Atomic Energy Agency. International Renewable Energy Agency. World Trade Organization in the international energy system. International non-governmental organizations in the field of energy. The European Union, a general description of the EU's energy policy. Entities.

*Sources of international energy law.* General characteristics of sources of international energy law. International treaties and international legal custom in the field of energy as sources of international energy law. Prerequisites for concluding, legal nature and content of the Energy Charter Treaty, the International Energy Charter. Structure and content of the Energy Charter Treaty. The role and significance of acts of international intergovernmental organizations in the field of energy, decisions of international conferences and international energy forums.

Module 2. International legal regulation of certain spheres of energy relations.

*International legal regulation of the use of hydrocarbon energy sources.*

International legal regulation of exploration and extraction of oil and gas resources. Peculiarities of the use of the subsoil of the bottom of internal seawaters, the territorial sea, the continental shelf, and the seabed outside the continental shelf. Legal regime of cross-border energy resources. International legal regulation of subsoil use in the Arctic zone. International legal aspects of trade in fossil energy sources. International legal regulation of gas and oil transportation. Legal regulation of the functioning of international consortia. International legal issues of implementation of international pipeline projects and operation of the relevant infrastructure.

*International legal regulation of electricity. International law of atomic energy.* International legal regulation of electricity transit. International aspects of cross-border electricity trade. International legal problems of ensuring the stability of the functioning of electric power systems. International legal issues of trade in nuclear materials and equipment. Transportation of nuclear materials and fuels. International legal rules and standards of operational safety of nuclear facilities. The procedure and mode of notification of a nuclear accident.

*International legal aspects of using renewable energy sources and ensuring energy efficiency.* The formation and evolution of international cooperation in the field of renewable energy and energy efficiency, the specifics of modern development. International legal acts in the field of renewable energy and energy efficiency, the role of «soft» law acts in the relevant field. Intergovernmental and non-governmental organizations in the field of renewable energy and energy efficiency. General characteristics of the legal regulation of energy efficiency and the use of renewable energy sources in the European Union.

*International legal cooperation in the field of energy security.* Formation and development of international cooperation in the field of ensuring energy security. Concepts and elements of energy security. Principles of ensuring energy security.

The main directions of cooperation between states in the field of ensuring energy security. Universal and regional institutional mechanisms in the field of energy security.

*Dispute resolution in international energy law. Dispute resolution mechanism in accordance with the Energy Charter Treaty. International Center for Settlement of Investment Disputes. Resolution of disputes in accordance with the Arbitration Rules of the UN Commission on International Trade Law. Arbitration Institute of the Stockholm Chamber of Commerce. The practice of the World Trade Organization in the resolution of disputes arising in the field of energy.*

#### **4. Scope and structure of the academic discipline**

##### **4.1. For full-time higher education students**

№	Date (according to the time- table)	Topics of the academic discipline	Number of academic hours			
			Total	Including		
				Lectures	Practical classes, seminars, colloquiums, etc	Students' independent work
		<b>Module 1. General characteristics of international energy law.</b>				
		<b>Topic 1.</b> Concept and system of international energy law.	14	2	2	10
		<b>Topic 2.</b> Subjects of international energy law.	14	2	2	10
		<b>Topic 3.</b> Sources of international energy law.	18	4	4	10
		<i>Together</i>	46	8	8	30
		<b>Module 2. International legal regulation of certain spheres of energy relations.</b>				
		<b>Topic 1.</b>	14	2	2	10

		International legal regulation of the use of hydrocarbon energy sources.				
		<b>Topic 2.</b> International legal regulation of electricity. International law of atomic energy.	16	2	2	12
		<b>Topic 3.</b> International legal aspects of using renewable energy sources and ensuring energy efficiency.	16	2	4	10
		<b>Topic 4.</b> International legal cooperation in the field of energy security.	14	2	2	10
		<b>Topic 5.</b> Dispute resolution in international energy law.	14	2	2	10
		<i>Together</i>	74	10	12	52
		<b>Total hours / ECTS credits</b>	<b>120/4.0</b>	<b>18</b>	<b>20</b>	<b>82</b>

#### 4.2. For part-time higher education students

№	Date (according to the timetable)	Topics of the academic discipline	Number of academic hours			
			Total	Including		
				Lectures	Practical classes, seminars, colloquiums, etc	Students' independent work
		<b>Module 1.</b> <b>General characteristics of international energy law.</b>				
		<b>Topic 1.</b> Concept and system of international energy law.	18	2	2	14

		<b>Topic 2.</b> Subjects of international energy law.	14	-	-	14
		<b>Topic 3.</b> Sources of international energy law.	14	-	-	14
		<i>Together</i>	46	2	2	42
		<b>Module 2.</b> <b>International legal regulation of certain spheres of energy relations.</b>				
		<b>Topic 1.</b> International legal regulation of the use of hydrocarbon energy sources.	14	-	-	14
		<b>Topic 2.</b> International legal regulation of electricity. International law of atomic energy.	14	-	-	14
		<b>Topic 3.</b> International legal aspects of using renewable energy sources and ensuring energy efficiency.	16	2	2	12
		<b>Topic 4.</b> International legal cooperation in the field of energy security.	14	-	-	14
		<b>Topic 5.</b> Dispute resolution in international energy law.	16	2	-	14
		<i>Together</i>	74	4	2	68
		<b>Total hours / ECTS credits</b>	<b>120/4.0</b>	<b>6</b>	<b>4</b>	<b>110</b>

### ***5. Forms of pedagogical control***

#### ***and means of assessment of learning outcomes***

Assessment of the results of mastering an academic discipline «International

energy law» covers current and final control and is carried out on the basis of a cumulative point-rating system.

Current control of students' knowledge includes:

- quality control of the students' assimilation of the programme material of the academic discipline during practical classes using: oral, written or express surveys, solving practical tasks, participating in the development of a case, defending an essay on the initiative of the student. The current control is aimed at checking the level of students' preparation in studying the current material. In the course of the practical session, the student can receive a mark according to a six-point scale (0, 2, 3, 4, and 6);

- quality control of the students' assimilation of the programme material of the academic discipline, which is conducted at the end of every module in the form of colloquium.

During the semester, students perform independent assignment tasks (preparation of a presentation, essay, report, etc.). The maximum number of points for independent work is 20 points.

The form of final control of student's' achievements in learning the academic discipline is the credit. The minimum number of points for getting the credit is 60 points.

Distribution of points between forms of organization of the teaching process and types of control measures:

Current control			Final assessment of knowledge (credit)
Module № 1	Module № 2	Independent work of students	

i/o	Assessment (test)/contro l paper/colloq uium	i/o	Assessment (test)/contro l paper/collo quium		
max 24	max 14	max 30	max 12	max 20	max 100

### 6. Learning outcomes assessment criteria:

#### *Current control*

Type of control	Points	Criteria (for every type of control)
Current control during a practical class	Max 6	Excellent assimilation of educational material on the topic, some minor shortcomings are possible.
	4	Good assimilation of the material on the topic, but there are some mistakes.
	3	Satisfactory level of assimilation of the material, a significant number of errors.
	2	The minimum level of assimilation of the material, a significant number of errors.
	Min 0	Unsatisfactory level of assimilation of the material.
control work/colloquium	Max 14/12	The results of processing the material are high, a small number of insignificant errors are possible.
	6	Satisfactory level of assimilation of the material, a significant number of errors.
	Minimum 0	Unsatisfactory level of assimilation of the material.
Independent students' work	Max 20	Deep knowledge of the problems related to the research topic. Fluency in the material. The ability to think independently and creatively, find, generalize, analyze the material, draw independent theoretical and practical conclusions.
	15	The main issues are covered superficially, the conclusions do not have an independent character.
	Minimum 0	The main provisions of the topic are covered superficially, with a large number of errors, there are no conclusions, and the student has a weak command of the work material.

#### *Final control*

Type of control	Points	Criteria
Credit	100	<ol style="list-style-type: none"> <li>1. Comprehensive, systematic and deep knowledge of the material provided by the curriculum of the academic discipline, including orientation in the main scientific doctrines and concepts of the academic discipline.</li> <li>2. Learning the main and additional literature recommended by the department.</li> <li>3. Ability to independently replenish knowledge of the academic discipline and use the acquired knowledge in practical work.</li> </ol>
	90	<ol style="list-style-type: none"> <li>1. Comprehensive knowledge of the material provided by the curriculum of the academic discipline.</li> <li>2. Mastering the basic literature and getting to know the additional literature recommended by the department.</li> <li>3. Ability to independently replenish knowledge of the discipline, understanding its importance for practical work.</li> </ol>
	85	<ol style="list-style-type: none"> <li>1. Sufficiently complete knowledge of the material provided by the programme of the academic discipline, in the absence of significant errors in the answer.</li> <li>2. Learning the basic literature recommended by the department.</li> <li>3. Ability to independently replenish knowledge of the discipline, understanding its importance for practical work.</li> </ol>
	75	<ol style="list-style-type: none"> <li>1. Knowledge of the basic material provided by the curriculum of the academic discipline, in an amount sufficient for further study and future work in the profession.</li> <li>2. Learning the basic literature recommended by the department.</li> <li>3. Errors and significant inconsistencies in the answer to the assessment (credit) with the presence of knowledge to eliminate them independently or with the help of the lecturer.</li> </ol>
	70	<ol style="list-style-type: none"> <li>1. Knowledge of the basic material provided by the curriculum of the academic discipline, in an amount sufficient for further study and future work in the profession.</li> <li>2. Acquaintance with the basic literature recommended by the department.</li> <li>3. Errors in the answer to the assessment (credit) with the presence of knowledge to eliminate the most significant errors with the help of the lecturer.</li> </ol>
	60	<ol style="list-style-type: none"> <li>1. Gaps in knowledge of certain parts of the main material provided by the curriculum of the academic discipline.</li> <li>2. The presence of errors in answering questions on the assessment (credit).</li> </ol>
uncredited	55	<ol style="list-style-type: none"> <li>1. Lack of knowledge of a significant part of the main material provided by the programme of the academic discipline.</li> </ol>



		2. Impossibility to continue studying or carry out professional activities without passing a repeated course in this discipline.
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**7. Pedagogical control of  
full-time/part-time higher education students**

**Scale of final pedagogical control**

Assessment according to the ECTS scale	Definition	Assessment according to the national credit scale	Assessment according to the 100-point scale used in Yaroslav Mudryi National Law University
<b>A</b>	<b>Excellent</b> – excellent performance, with only a small number of mistakes	credited	90 - 100
<b>B</b>	<b>Very good</b> – above average level with few errors		80-89
<b>C</b>	<b>Good</b> – generally correct performance with a certain number of minor errors		75-79
<b>D</b>	<b>Satisfactory</b> – not bad, but with a significant number of shortcomings		70-74
<b>E</b>	<b>Enough</b> – performance meets the minimum criteria		60-69
<b>FX</b>	<b>Unsatisfactory</b> – you need to work before rewriting	uncredited	35-59
<b>F</b>	<b>Unsatisfactory</b> – serious further work is required, a repeat course is mandatory		0 - 34

**8. Teaching, methodological and information support of the academic discipline**

*Normative and legal acts*

1. Базельська конвенція про контроль за транскордонним перевезенням небезпечних відходів та їх видаленням. ООН, Конвенція, Міжнародний документ від 22.03.1989 р. Офіц. сайт Верхов. Ради України. URL.: [http://zakon3.rada.gov.ua/laws/show/995\\_022](http://zakon3.rada.gov.ua/laws/show/995_022).

2. Віденська конвенція про право міжнародних договорів. ООН, Конвенція, Міжнародний документ від 23.05.1969 р. Офіц. сайт Верхов. Ради України. URL.: [http://zakon2.rada.gov.ua/laws/show/995\\_118](http://zakon2.rada.gov.ua/laws/show/995_118).
3. Віденська конвенція про цивільну відповідальність за ядерну шкоду. МАГАТЕ, Конвенція, Міжнародний документ від 21.05.1963р. Офіц. сайт Верхов. Ради України. URL.: [http://zakon2.rada.gov.ua/laws/show/995\\_006](http://zakon2.rada.gov.ua/laws/show/995_006).
4. Декларація про принципи міжнародного права, що стосуються дружніх відносин і співробітництва між державами відповідно до Статуту Організації Об'єднаних Націй. ООН, Декларація, Міжнародний документ від 24.10.1970 р. Офіц. сайт Верхов. Ради України. URL.: [http://zakon4.rada.gov.ua/laws/show/995\\_569](http://zakon4.rada.gov.ua/laws/show/995_569).
5. Директива Європейського Парламенту та Ради 2009/72/ЄС від 13 липня 2009 року про спільні правила внутрішнього ринку електроенергії та про скасування Директиви 2003/54/ЄС URL.: <http://mpe.kmu.gov.ua/minugol/doccatalog/document?id=245023096>
6. Договір до енергетичної хартії. ООН, Договір, Міжнародний документ від 17.12.1994 р. Офіц. сайт Верхов. Ради України. URL.: [http://zakon2.rada.gov.ua/laws/show/995\\_056](http://zakon2.rada.gov.ua/laws/show/995_056).
7. Договір про всеосяжну заборону ядерних випробувань. ООН, Договір, Протокол, Міжнародний документ від 24.09.1996 р. Офіц. сайт Верхов. Ради України. URL.: [http://zakon3.rada.gov.ua/laws/show/995\\_372](http://zakon3.rada.gov.ua/laws/show/995_372).
8. Європейська енергетична хартія. ОБСЄ, Хартія, Міжнародний документ від 17.12.1991 р. Офіц. сайт Верхов. Ради України. URL.: [http://zakon2.rada.gov.ua/laws/show/995\\_061](http://zakon2.rada.gov.ua/laws/show/995_061).
9. Закон України від 22.09.2016 No 1540-VIII «Про Національну комісію що дійсноє державне регулювання в сферах енергетики та комунальних послуг». URL.: <https://zakon.rada.gov.ua/laws/show/1540-19>
10. Закон України від 13.04.2017 No 2019-VIII «Про ринок електрично енергії» URL.: <https://zakon.rada.gov.ua/laws/show/2019-19>

11. Закон України від 09.04.2015 № 329-VIII «Про ринок природного газу»  
URL.: <https://zakon.rada.gov.ua/laws/show/329-19>
12. Кіотський протокол до Рамкової конвенції Організації Об'єднаних Націй про зміну клімату. ООН; Протокол, Міжнародний документ від 11.12.1997 р. Офіц. сайт Верх. Ради України. URL.: [http://zakon3.rada.gov.ua/laws/show/995\\_801](http://zakon3.rada.gov.ua/laws/show/995_801).
13. Конвенція Організації Об'єднаних Націй з морського права. ООН, Конвенція, Міжнародний документ від 10.12.1982 р. Офіц. сайт Верх. Ради України. URL.: [http://zakon2.rada.gov.ua/laws/show/995\\_057](http://zakon2.rada.gov.ua/laws/show/995_057).
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