

Course Outline

COURSE:	LAWS 2601A – Public International Law
TERM:	Fall 2013
PREREQUISITES:	LAWS 1000 or LAWS 2005, or PAMP 1000 or PSCI 1000 or PSCI 1001 or PSCI 1002
TERM:	Fall Semester 2013
CLASS:	Day & Time: Thursdays 6:05 – 8:55 Room: Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Patrick Murphy
CONTACT:	Office: B442 Loeb Building Office Hrs: Thursdays 5:15p.m. – 5:45p.m. or by appointment Telephone: 613-946-2530 Email: Patrick.Murphy@carleton.ca

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

Course Description

International law is an expansive area of the law which is vastly different from the Canadian domestic legal system. This course will serve as a basic introduction for students to public international law with an emphasis on issues of particular relevance to Canada. It will include an examination of the structure, sources and subjects of international law while touching on specific issues including the use of force by states. Upon completion of the course, students will have a basic understanding of public international law which will enable them to explore more complex international law issues should they choose to do so.

Required Text

The required text for the course is John H. Currie, *Public International Law*, 2nd ed. (Toronto: Irwin Law, 2008).

Any other readings which are not drawn from the above noted text will be provided.

Course Evaluation

Grades for this course will be derived from three components.

Class Participation 10%

Students will be required to participate in and attend class on a regular basis. The mark for this component will be based on the quality and level of participation which the student demonstrates. Part of this mark will be based on student's participation in discussions with respect to current issues in international law.

Assignment 30%

The assignment will involve writing a short 5 page paper dealing with a specific international law issue which is currently occurring in the world. The subjects upon which the paper is to be written will be provided in class.

Final Exam 60%

The final exam will be written during the final examination period and will be based on the content of the course. Students will be able to bring a cheat sheet into the examination on which they will be able to write on both sides whatever they so choose.

Late Assignments

Late assignments will be marked down by one-half letter grade (eg. A to A-, B- to C+) for each day the assignment is late. If they are submitted more than 7 days after the due date, they will receive a grade of F.

A request for an extension must be made to me prior to the due date.

Class Schedule**September 5 Introduction and Course Overview.**

- a) Overview of Course.
- b) Discussion of Requirements and Expectations.

No Readings.

September 12 Introduction to Public International Law and Sources

- a) Nature of Public International law
- b) Origins of International law
- c) Approaches to International Law
- d) Difference between Domestic and International Law

Readings: Currie pages 1-18

Sources

September 19

Treaties

- a) Article 38(1)(a) of the International Court of Justice Act
- b) Restatement on Sources of International Law
- c) Treaties

Readings: Currie pages 95-107, 123-141

September 26 Customary International Law and Other Sources of International Law

- a) Customary International Law
- b) General Principles of International Law
- c) Other Sources of International Law
- d) Soft law

Readings: Currie pages 185-199

October 3

International Law in Canada

- a) Authority to enter into Treaties
- b) Reception of Treaties in Canada
- c) Reception of Customary International Law

Readings: Currie pages 224-41

Subjects

October 10

States

- a) State Recognition
- b) Prohibition on Recognition
- c) Modes of Acquisition of Territory
- d) International Organizations

Readings: Currie pages 21-55

October 17

Individuals and International Organizations

- a) Status of individuals
- b) United Nations
- c) Transnational Corporations

Readings: Currie pages 66-77

Substance**October 24****International Human Rights Law**

- a) ICCPR
- b) ICESCR
- c) Compliance with Human Rights Treaties
- d) Regional Human Rights Systems

Readings: Currie pages 414-441

October 31**No class, Fall Break.****November 7****The Use of Force**

- a) The Prohibition on the Use of Force
- b) The United Nations Charter Scheme
- c) Exceptions to the Prohibition

Readings: Currie pages 458-463, 484-498

November 14**International Criminal Law**

- a) Nuremburg
- b) Genocide and Crimes Against Humanity
- c) The International Criminal Court

Readings: The Rome Statute

November 21**Jurisdiction and Immunities**

- a) Enforcement Jurisdiction
- b) State Immunity
- c) Diplomatic Immunity

Readings: Currie pages 332-339, 364-374, 403-409

November 28**Self-Determination of Peoples**

- a) Self Determination
- b) Recognition
- c) Kosovo
- d) Quebec

Readings: Currie pages 56-65

December 5 Review Class