

**Course Outline**

<b>COURSE:</b>	<b>LAWS 2601A – Public International Law</b>
<b>TERM:</b>	<b>Early Summer 2012</b>
<b>PREREQUISITES:</b>	<b>LAWS 1000 or LAWS 2005, or PAMP 1000 or PSCI 1000 or PSCI 1001 or PSCI 1002</b>
<b>CLASS:</b>	<b>Day &amp; Time: Tuesdays and Thursdays 6:05 – 8:55</b> <b>Room: Please check with Carleton Central for current room location</b>
<b>INSTRUCTOR:</b>	<b>Patrick Murphy</b>
<b>CONTACT:</b>	<b>Office: D442 Loeb</b> <b>Office Hrs: Thursdays 5:15p.m – 5:45p.m. or by appointment</b> <b>Telephone: 613-946-2530</b> <b>Email: <a href="mailto:Patrick.Murphy@carleton.ca">Patrick.Murphy@carleton.ca</a></b>

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Students with disabilities requiring academic accommodations in this course must register with the Paul Menton Centre for Students with Disabilities (PMC) for a formal evaluation of disability-related needs. Documented disabilities could include but are not limited to mobility/physical impairments, specific Learning Disabilities (LD), psychiatric/psychological disabilities, sensory disabilities, Attention Deficit Hyperactivity Disorder (ADHD), and chronic medical conditions. Registered PMC students are required to contact the PMC, **613-520-6608**, every term to ensure that I receive your Letter of Accommodation, no later than two weeks before the first in-class test/midterm requiring accommodations. If you only require accommodations for your formally scheduled exam(s) in this course, please submit your request for accommodations to PMC by the deadlines published on the PMC website. <http://www1.carleton.ca/pmc/students/dates-and-deadlines/>. For Religious and Pregnancy accommodations, please contact Equity Services, x. 5622 or their website: [www.carleton.ca/equity](http://www.carleton.ca/equity)

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**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*, 2<sup>nd</sup> ed. (Toronto: Irwin Law, 2008).

Any other readings which are not drawn from the above noted text will be posted on Web CT.

**Course Evaluation**

Grades for this course will be derived from three components.

**Class Participation    20%**

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            50%**

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****May 8            Introduction and Course Overview.**

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

No Readings.

**May 10          What is Public International Law?**

- 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****May 15 Introduction to Sources and 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

**May 17 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

**May 22 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****May 24 States**

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

Readings: Currie pages 21-55

**May 29 Individuals and International Organizations**

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

Readings: Currie pages 66-77

**Substance**

**May 31            Jurisdiction and Immunities**

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

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

**June 5            International Human Rights Law**

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

Readings:        Currie pages 414-441

**June 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

**June 12          Self-Determination of Peoples**

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

Readings:        Currie pages 56-65

**June 14          International Criminal Law**

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

Readings:        The Rome Statute

**June 19          Review Class**