

Course Outline

COURSE:		LAWS 3603A Public International Law
PREREQUISITES:		LAWS 1000 or LAWS 2005, or PAPM 1000 or a Political Science or History course in international relations
TERM:		Early Summer 2009
CLASS:	Day & Time:	Monday and Wednesday 9:05-11:55
	Room:	Please check with Carleton Central for current room location
INSTRUCTOR:		Betina Kuzmarov
CONTACT:	Office:	Loeb D481
	Office Hrs:	Monday 1:00 pm to 3:00 pm or by appointment
	Telephone:	(613) 520-2600 extension 8810
	Email:	Please use the WebCT e-mail for this course

“Students with documented 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 include physical, mental, and learning disabilities, mental disorders, hearing or vision disabilities, epilepsy, drug and alcohol dependencies, environmental sensitivities, as well as other conditions. Registered PMC students are required to contact the PMC at 613-520-6608, early each term to ensure that your Instructor receives your Letter of Accommodation no later than two weeks before the first assignment is due or the first in-class test/midterm requiring accommodations. If you require accommodations for your formally scheduled exam(s) in this course, please submit your request for accommodations to the Paul Menton Centre as soon as possible.” Also available at http://www.carleton.ca/pmc/faculty/acom_statement.html . For Religious and Pregnancy accommodations, please contact Equity Services, 613-520-2600 x. 5622 or their website: www.carleton.ca/equity

COURSE DESCRIPTION:

Have you ever wondered what the Security Council is? Or what the meaning of a UN resolution is? Or what the law says about use of force? Then this course will help place these real world institutions and events in the context of law. Public international law refers to the rules governing the interactions between states. It is a specific way of structuring and understanding events in international relations. The purpose of this course is to examine both what public international law is and how it shapes state interactions. We will do this by asking questions about international law such as: What is international law? Who matters in international law? When does international law come into effect? Where is international law created, debated or enforced? How does international law try to regulate force? Through these questions we will examine the subject matter of international law such as the sources of international law, the subjects of international law, the structure of international law, the types of international legal obligations and the settlement of international disputes. We will contextualize these events by focusing on specific aspects of the topic. Further, we will discuss the problems or difficulties with the traditional conceptions of international law. By the end of the course you will come away with a good understanding of international law concepts and how that law relates to real world events. You will also have an ability to critically evaluate both international law and its political nature.

TEXTS:

This course has one required text, but I may refer you to the internet for readings in specific lectures. The text has been ordered for purchase at the Carleton University Bookstore. Appropriate used versions are also an option (just check they are the right edition). I have also requested that the text be put on reserve at the library.

REQUIRED:

A. Cassese, *International Law*, 2nd ed. (Oxford: OUP, 2005).

EVALUATION: (All components must be completed in order to receive a final grade)

The evaluation for the course will be broken down as follows:

Newspaper Assignment	10%
Class Diary	10% per entry (entries submitted each week of class starting on May 22 for a total of five entries worth 50% of the final mark)
Final Exam	35%
Class Participation	5%

Newspaper Assignment

Due Date: May 15

Each student must find three newspaper articles related to international law. Each article should be accompanied by a one paragraph analysis of the current event and legal issue the article discusses.

Class Diary

Due Date: Friday of each week of class starting on May 22 at 4 pm

Each week of class, from May 22 on, the student must submit a "diary entry." Each entry should be one to two pages (double spaced) and should discuss the following three questions: 1. what are the topics of this week's lectures? 2. how is each topic defined in law? 3. analyze the strengths and weaknesses of each topic studied. You may do this by asking of each topic: what is it supposed to achieve in international relations? And does it achieve this? Students should add their own reflections on the materials presented.

Final Exam

Date: Exam period

The final exam will be written during the final exam period. It will be comprised of 35 short answer questions.

Class Participation

Due Date: Throughout the course

This mark reflects student's attendance as well as participation in lecture. It is determined by reference to criteria established on the marking sheet that will be provided on the first day of class.

More information will be provided in class about the expectations for the assignments and the exam and how each assignment or exam will be graded.

Please note that for all assignments, spelling, grammar and proper style must be followed or marks may be deducted. Any late assignments will be penalized at a rate of 3% of the assignment mark a day (that means a weekend deduction too). Your final diary entry must be submitted on the Friday following our last class. Any late submissions for the final diary entry will receive a mark of 0 and will not be graded. All assignments are due in the Law Department drop box (C473 Loeb) in accordance with drop box policy or if stated on the assignment sheet submitted through WebCT. ALL ASSIGNMENTS MUST BE COMPLETED TO PASS THIS COURSE. Extensions are only granted in the circumstances approved by the Registrar's office. All extensions must be discussed with me PRIOR to the due date for the assignment.

Plagiarism will be punished. All written work must be yours alone, and any ideas you include in your work which are not original to you should be properly referenced. As a good first step you should familiarize yourself with the

department's policies on proper referencing and citation. For example, the Department of Law has a 'Legal Style Sheet for Term Papers' which can be accessed at http://www2.carleton.ca/law/current/Legal_Style_Sheet.pdf. Also you should be aware of the Departmental Course-Related Policy and Procedure Statement and the University's academic integrity policy.

Standing in this course is determined by the course instructor subject to the approval of the Faculty Dean. This means that any grades submitted by me may be subject to revision. No grades are final until they have been approved by the Dean.

COURSE HINTS:

My goal for this course is to provide you with the knowledge, skills (and enthusiasm) to allow you to achieve your best. Here are some tips for how to achieve this...

1. Preparation: Attendance at lecture and preparation for class are necessary to succeed in this course. This requires you to do your readings BEFORE class as this helps you get the most out of each lecture. I also (see WebCT below) post my slides the night before each lecture to help you come prepared.
2. Web CT: Please sign up for a WebCT account. I use WebCT regularly. This course outline will be posted on WebCT as will all assignment sheets after they are handed out, so you can always find them there. You should always look on WebCT first if you have any questions. Also, as mentioned I post my lecture slides on WebCT the night before each class. Lastly, the e-mail on WebCT is the e-mail address to use to get in touch with me for this course.
2. Note taking: You'll notice right away the slides I post are a good OUTLINE to what I am saying, but not the whole story, so attending class and writing your own notes is necessary.
3. Questions: If you are unsure please ask. I am here to answer your questions. That's my job. Please don't hesitate to ask if something was unclear or if you have any questions about an assignment. Also, there are many great services available on campus that can also provide you with advice, for example there is the Writing Tutorial Service, the Student Academic Success Centre and the Learning Commons.
4. E-mail etiquette: E-mail is a funny thing. E-mail feels like a conversation but it is really a formal way of communicating to your instructor. So please read your e-mail over before sending it and take the time to consider if this is what you would like me to see in writing. You should note that e-mail is a formal record of communication.
5. How to address me: I am pretty flexible on this and I don't mind Betina. If you don't like using first names, I am happy to answer to more formal titles in class and in e-mails.
6. Contesting a grade: If you think you have a reason to contest a grade on assignment please follow this procedure: 1. Wait a week and think carefully about the reasons why you want to contest the grade – you have to make a case as to why you feel (based on the comments and marking grid) your grade should be changed. Grades can be changed only for valid reasons. 2. Contact me with your concerns by e-mail (it helps to set them out in writing) and then we can arrange for you to drop off the marked assignment and set up an appointment to discuss your concerns. You should know that I am happy to change grades for valid reasons. However, requesting to have your grade reviewed can also mean that YOUR GRADE MAY GO DOWN, so please keep that in mind.

COURSE SYLLABUS:

11 MAY **WHAT IS INTERNATIONAL LAW? INTRODUCTION**
Introduction to Course

13 MAY	<p>WHAT IS INTERNATIONAL LAW? LECTURE TWO Introduction to International Law</p> <p>Readings:</p> <p>1. Cassese Pages 5-6; 9-13; 21; 48-60; 213-220 * Note: newspaper assignment is due on May 15.</p>
18 MAY	University Closed
20 MAY	<p>WHAT IS INTERNATIONAL LAW? LECTURE THREE The Sources of International Law</p> <p>Readings:</p> <p>1. Cassese Pages 153-165; 167-169; 198-212 2. <i>Vienna Convention on the Law of Treaties</i> available online at http://untreaty.un.org/ilc/texts/instruments/english/conventions/1_1_1969.pdf 3. <i>Statute of the International Court of Justice</i>, especially Article 38, available online at http://www.icj-cij.org/documents/index.php?p1=4&p2=2&p3=0 * Note: first diary entry is due on May 22.</p>
25 MAY	No Class (Congress of the Humanities)
27 MAY	No Class (Congress of the Humanities)
1 JUNE	<p>WHAT IS INTERNATIONAL LAW? LECTURE FOUR Sources in Depth: Treaty Law and the Example of the Law of the Sea</p> <p>Readings:</p> <p>1. Cassese Pages 84-94; 172-182 2. <i>Vienna Convention on the Law of Treaties</i> available online at http://untreaty.un.org/ilc/texts/instruments/english/conventions/1_1_1969.pdf</p>
3 JUNE	<p>WHO MATTERS IN INTERNATIONAL LAW? INTRODUCTION The Subjects of International Law: States and the Actors in International Law</p> <p>Readings:</p> <p>1. Cassese Pages 71-72; 81-84; 124-130; 134-150; 435-450; 453-462 2. <i>The Statute of the International Criminal Court</i> available online at http://www2.icc-cpi.int/NR/rdonlyres/EA9AEFF7-5752-4F84-BE94-0A655EB30E16/0/Rome_Statute_English.pdf 3. <i>The Statute of the ICTY</i> available online at http://www1.umn.edu/humanrts/icty/statute.html 4. The Statute of the <i>ICTR</i> available online at http://www.un.org/ictv/statute.html * Note: second diary entry is due on June 5.</p>
8 JUNE	<p>WHO MATTERS IN INTERNATIONAL LAW? LECTURE TWO Subjects in Depth: Human Rights -The Individual and the Limits of State Power</p> <p>Readings:</p> <p>1. Cassese Pages 331-333; 377-389 2. Human Rights (a page on the UN website) focus particularly on the High Commissioner for Human Rights and the Human Rights Council at www.un.org/rights/ 3. The Council of Europe at www.coe.int 4. The Organization of American States at http://www.oas.org/main/english/ 5. The African Union http://www.africa-union.org/</p>

- 10 JUNE** **WHEN DOES INTERNATIONAL LAW COME INTO EFFECT? INTRODUCTION**
Jurisdiction, Immunity and State Responsibility
- Readings:
1. Cassese **Pages 98-105; 109-120; 241-245; 450-451**
* Note: third diary entry is due on June 12. June 12 is also the last day to submit completed forms to the PMC for formally scheduled exam accommodations
- 15 JUNE** **WHEN DOES INTERNATIONAL LAW COME INTO EFFECT? LECTURE TWO**
Jurisdiction in Depth: Changes in Sovereignty and Self-Determination
- Readings:
1. Cassese **Pages 73-80; 328-329; 374**
- 17 JUNE** **WHERE IS INTERNATIONAL LAW DEBATED, CREATED OR ENFORCED? INTRODUCTION**
The United Nations
- Readings:
1. Cassese **Pages 320-328; 336-338; 339-353**
2. The website of the United Nations available online at www.un.org
* Note: fourth diary entry is due on June 19.
- 22 JUNE** **WHERE IS INTERNATIONAL LAW DEBATED, CREATED OR ENFORCED? LECTURE TWO**
Enforcement in Depth: Peaceful Settlement of Disputes – Diplomacy, Negotiation, Adjudication and Arbitration
- Readings:
1. Cassese **Pages 278-289; 291-295; 296-313**
- 24 JUNE** **HOW DOES INTERNATIONAL LAW TRY TO REGULATE FORCE? INTRODUCTION**
Physical Force: The Laws of and in War
EXAM REVIEW
- Readings:
1. Cassese **Pages: 400-420; 424-427; 429-432; 434**
2. The Charter of the United Nations available online at <http://www.un.org/aboutun/charter/>
* Note: fifth diary entry is due on June 26.