

Course Outline

COURSE:	LAWS 4606A International Law of Armed Conflict
TERM:	Fall 2013
PREREQUISITES:	LAWS 2601 (Public International Law)
CLASS:	Day & Time: Monday 11:35am-14:25pm Room: Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	T. Ashtakala
CONTACT:	Office: Loeb Building Room B442 Office Hrs: By appointment Telephone: Email: tara_ashtakala@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

The last resort of nation States to resolve their disputes is the use of force; while public international law has acknowledged its inability to prevent the use of force, a subset of rules has been created that seeks to limit the adverse impact on humanity of the resort to war, which is why this body of rules is also called International Humanitarian Law. Note that this course does NOT address possible justifications for the use of force in particular situations; such rationalizations lie more appropriately in the realm of international relations and politics. In this class, you will learn about the sources, content and implementation of the rules that seek to regulate armed conflict; through the application of these rules to case study exercises and to the discussion of current events, you will be ultimately be able to develop an informed position on the effectiveness of this field of international law.

REQUIRED TEXTS

Required readings will be posted on CULEARN and/or be accessible online. Some additional articles, as well as case study exercises, will be distributed in class. The readings are intended to reinforce or supplement lecture content.

EVALUATION

All three (3) components must be completed in order to get a passing grade

1. Closed book weekly quiz – 35% of final grade

- A fifteen (15)-minute quiz will be held at each class on the preceding week's lecture material. The quiz will consist of multiple choice or fill-in-the-blank questions and 1 essay question.
- Dates of quizzes: 23 Sep, 30 Sep, 7 Oct, 21 Oct, ~~4 Nov~~ (class cancelled), 11 Nov, 18 Nov, 25 Nov

2. Final case study Pleading in a Moot War Crimes Trial - 45% of final grade

- The task for each student is to present specific arguments, using the rules of the Law of Armed Conflict, in support of the fictional prosecution or defense of a fictional individual on trial for a fictional war crime. Since each student will receive a separate mark for his/her presentation, the defense and prosecution groups must ensure that the arguments are divided up sufficiently among the members of the group.
- Date of Pleadings: 9 Dec

3. Final case study Factum - 20% of final grade

- A complete written version of your pleading in the Moot Trial, including bibliography, must be submitted PRIOR TO the oral pleading.
- Factum is due at the BEGINNING of class on 9 December.

SCHEDULE

PART 1: BASIC PRINCIPLES

9 Sep INTRODUCTION AND OVERVIEW

16 Sep SOURCES OF THE LAW OF ARMED CONFLICT

23 Sep KEY CONCEPTS FOR HUMANITARIAN LAW: DISTINCTION, PROPORTIONALITY, NECESSITY

SCHEDULE**PART 2: LEGAL REGIMES**

- 30 Sep THE LAW OF LAND WARFARE
- 7 Oct THE LAW OF AIR WARFARE / THE LAW OF MARITIME WARFARE
- 14 Oct Thanksgiving holiday, no classes
- 21 Oct COMBATANTS AND PRISONERS OF WAR
- 28 Oct Fall break week, no classes
- 4 Nov CLASS CANCELLED
- 11 Nov NON-INTERNATIONAL ARMED CONFLICTS
- 18 Nov WEAPONS OF MASS DESTRUCTION

PART 3: IMPLEMENTATION

- 25 Nov THE LAW OF OCCUPATION
- GRAVE BREACHES OF INTERNATIONAL HUMANITARIAN LAW: INTERNATIONAL AND DOMESTIC IMPLEMENTATION AND ENFORCEMENT
- 2 Dec WAR CRIMES TRIAL PLEADINGS
- 9 Dec WAR CRIMES TRIAL PLEADINGS