

Course Outline

COURSE:	LAWS 4903 A - Weapons of Mass Destruction and International Law
PREREQUISITES:	Fourth Year Honours Standing
TERM:	Fall 2007
CLASS: Day & Time:	Monday, 14:30 pm-17:30 pm
Room:	404 SA (Southam Hall)
INSTRUCTOR:	Tara Ashtakala (Contract Instructor)
CONTACT: Office:	C476 LA (Loeb Building) Contract Instructors' Office
Office Hrs:	By appointment
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Students with disabilities needing academic accommodations in this course are required to contact a coordinator at the Paul Menton Centre to complete the necessary *letters of accommodation*. The student must then make an appointment to discuss their needs with the instructor at least two weeks prior to the first class or ITV test. This is to ensure sufficient time is available to make the necessary accommodation arrangement. Please note the deadline for submitting completed forms to the PMC for formally scheduled exam accommodations is November 9, 2007 for December examinations. With regard to accommodations for religious obligations and pregnancy, please see <http://www.carleton.ca/law/accommodations.htm>.

REQUIRED READING

Required Readings will be posted on WebCT. Some additional articles, as well as case study exercises, will be distributed in class.

COURSE DESCRIPTION

It is hard to understand how the most indiscriminate and disproportionate killing machines developed by humankind could be regulated under the larger body of rules that govern the normal interactions among States. Yet such weapons have profound implications for international law and security, not only in terms of the obvious belligerent effects of their use, but also with regard to the fact that efforts to eliminate such weapons will depend upon both the evolution of the law and the security perceptions of states. The adoption of a number of global treaties has contributed substantially to the rules of arms control and of armed conflict. This course will examine the major international instruments and negotiations that have attempted to control and disarm countries of their arsenals of all weapons that cause massive destruction, as well as look at current civil society campaigns and legal actions to curb the effects of military armaments that are presently deemed "legal". It is hoped that this course will help the student gain a better understanding of current situations in the news relating to WMD (such as North Korea and the nuclear non-proliferation regime, Iraq's WMD history and the use of cluster bombs in the recent Israel-Lebanon conflict), and ultimately appreciate how international law offers the best means for preventing, regulating and eliminating such global confrontations.

EVALUATION

The main component of evaluation will be the production by the student of a campaign to advocate for the elimination (or promotion) of a particular weapon. The campaign will consist of two elements: 1) a written essay presenting arguments as to why the particular weapon is justifiable (or not) under the international legal regimes described in the lectures; and 2) an audiovisual presentation of the legal arguments; a pamphlet or poster and any other promotional material commonly found in advocacy campaigns; and a detailed plan as to the steps that will be taken to effect the sought ban (or promotion). With regard to the detailed plan, the student can use as a model the campaigns undertaken by non-governmental organizations and other groups that have or are seeking to eliminate existing weapons of mass destruction; the stories of these campaigns will also be covered in the lectures. Those students who choose to promote a weapon will be referred to case studies of arms manufacturers and their promotional sales material.

(1) Term essay- 50% of final mark

- suggested topic must be approved by 17 September
- essay due in class by 26 November
- Length: 10-12 pages double-spaced, excluding bibliography
- Format: the paper will generally consist of four sections:
 - ◆ introductory section describing the weapon of mass destruction selected
 - ◆ description of the existing legal regime regulating the weapon
 - ◆ deficiencies (or strengths) of the existing legal regime and what needs to be rectified to make the weapon illegal (or legal) under international law
 - ◆ conclusion briefly outlines what the campaign seeks to achieve

(2) Presentation of term project - 40% of final mark

- sign-up sheet for dates will be circulated at first class
- 15-20 minutes in duration
- you must respond to questions and comments of your colleagues after the presentation; if no one is saying anything, you are expected to generate discussion yourself, so it is in your interest to prepare your own questions for the class!
- audio-visual or other material is essential; you are invited to be as creative as possible!

(3) Class participation - 10% of final mark

Attendance will be noted and each student is expected to ask questions/offer feedback to at least one presentation by a fellow classmate in each class session.

SCHEDULE OF LECTURE TOPICS

10 September	Means and methods of warfare: the rules of International Humanitarian Law
17 September	Means and methods of warfare: Arms Control and Disarmament Principles
24 September	Nuclear Weapons and International Law:
& 1 October	<ul style="list-style-type: none"> -arms control regimes -ICJ Advisory Opinion on the Legality of Nuclear Weapons -North Korea, Iran, Bunker Busters and other issues
8 October	Thanksgiving holiday, no class
15 October	Biological Weapons
22 October	Chemical Weapons
29 October	Land Mines and the Ottawa Treaty
5 November	Conventional Weapons: <ul style="list-style-type: none"> -The Conventional Weapons Convention -Explosive Remnants of War and Cluster Munitions
12 November	Small Arms: the Real WMD
19 November	Old Dogs and New Tricks: the legality of new uses of old weapons
26 November	Cyber warfare, the weaponization of space and the future of weapons use