

Course Outline

COURSE:	LAWS 2601A/T – Public International Law
TERM:	FALL 2018
PREREQUISITES:	1.0 credit from LAWS 1001, LAWS 1002 (Formerly LAWS 1000 no longer offered) PSCI 1100, PSCI 1200, or PAMP 1000
CLASS:	Day & Time: Wednesdays from 11:35 am to 2:25 pm
	Room: For students in the A section, please check with Carleton Central for the current room location
	For students in the T section, there is no classroom and the course is taught online
INSTRUCTOR:	Dr Sean Richmond
CONTACT:	Office: D483 Loeb Building
	Office Hrs: By appointment only
	Telephone: 613-520-2600 x. 2082
	Email: sean.richmond@carleton.ca

Please use your Carleton account for all email communication. Note that questions will not be answered on the weekends, or 48 hours before the essay is due and the final exam date. Students are warmly encouraged to consult with the instructor and Teaching Assistants during regular business hours, and well in advance of the essay due date and final exam.

Academic Accommodations:

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

Pregnancy obligation: Please contact 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: carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf

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: carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf

Academic Accommodations for Students with Disabilities: If you have a documented disability requiring academic accommodations in this course, please contact The Paul Menton Centre (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 as soon as possible to ensure accommodation arrangements are made. Please consult the PMC Website for their deadline to request accommodations for the formally-scheduled exam (if applicable) www.carleton.ca/pmc

Plagiarism:

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at:

<http://carleton.ca/studentaffairs/academic-integrity/>

Survivors of Sexual Violence

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: carleton.ca/sexual-violence-support

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor 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. <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

For more information on academic accommodation, please contact the departmental administrator or visit: students.carleton.ca/course-outline

Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://carleton.ca/law/current-students/>

CALENDAR COURSE DESCRIPTION

Examination of the role of law in contemporary international relations. Nature, history and sources of international law; international personality of states; status of international organizations and individuals; creation and effect of international obligations; importance and functions of law in the settlement of international disputes.

COURSE DESCRIPTION

This course provides an interdisciplinary introduction to public international law, and some of the key principles, theories and institutions associated with the international legal system. It addresses core topics such as the nature, sources and subjects of international law, and examines important contemporary legal challenges such as the use of force by states and the international criminal court. Throughout the lectures, the role and limits of international law in international relations will be discussed from a legal, political and historical perspective. Practice problems and short video clips will also be employed to help students critically analyze and apply what they are learning to the real world of foreign affairs. Respectful and thoughtful class discussion will be encouraged throughout the term.

Guest speakers from government and non-governmental organizations will provide additional insight on cutting edge issues such as the law governing cyber operations and outer space. They will also discuss potential volunteer and employment opportunities in international law, to inspire students to think about their broader career objectives.

At the end of the course, students should be able to: 1) demonstrate an introductory level of knowledge of the key principles, theories, institutions and challenges that are discussed; 2) identify international legal issues and apply relevant rules to the case studies and challenges that they encounter in and outside of the class; 3) critically reflect on the political and historical context in which international law operates; and 4) research and construct arguments in support of particular positions in international law, and show an awareness of alternative views to these positions.

REQUIRED TEXTS

John H. Currie. *Public International Law*, 2nd ed. (Irwin Law, 2008).

This required textbook is available for purchase from the Carleton bookstore. It has also been placed on reserve at the university library.

In addition to this book, further required readings and cases will be uploaded to the course website on cuLearn, or identified as available online.

SUPPLEMENTARY TEXTS

For students seeking supplementary information and additional perspectives on the course topics, the following two texts are available for purchase from the Carleton bookstore. They have also been placed on reserve at the library.

Malcolm D. Evans (ed.). *International Law*, 5th ed. (Oxford University Press, 2018).

Michael Byers. *War Law: Understanding International Law and Armed Conflict* (Douglas and McIntyre, 2005).

WEBSITE

Further course information, lecture summary slides, updates and other important materials will be posted on the course website on cuLearn. Announcements and grades will also be communicated this way. Students are strongly encouraged to regularly check the website.

Visit <https://culearn.carleton.ca>, and login using the same username and password that you use for your gmail or Connect accounts. You must be registered in the course to access the course website.

EVALUATION

Note: Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

Performance in the course will be evaluated as follows:

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| 1. Research essay - due Friday October 19 | 40% |
| 2. Take-home final exam - to be held in the final exam period | 60% |

Both evaluation components must be completed in order to be eligible to receive a passing grade.

Research essay: the research paper is worth 40% of the final grade. It will be up to 2,400 words long, not including footnotes and bibliography. Students will select one question from a set list of three international legal topics. This list will be posted to the course website on Monday September 10, 2018. Further information will be provided in class that week. Students will discuss their essay outlines with each other in class on Wednesday September 26.

The essay will be due by 12 pm on **Friday October 19**, and submitted online through the course cuLearn website.

You are strongly advised to save your work regularly in multiple ways, and to retain a copy of all submitted papers.

Absent prior approval or medical certification, essays submitted past the due date will incur a late penalty of -5 marks (out of 100) per day, including weekends. Papers submitted beyond seven days late will be accepted towards course completion, but will receive a mark of 0.

Take-home final exam: to help decrease the stress of exam writing and provide students with an opportunity to clearly and effectively demonstrate their understanding of the course material and learning aims, the final exam will be a take-home. It is worth 60% of the overall grade.

The exam will be held during the final exam period of December 9 to 21, 2018. The exact dates will be scheduled later in the term by Examination Services, in order to ensure there are no schedule conflicts or overloads for students. The exam will be open book, and will comprise short-answer, essay and fact-pattern questions. It will be uploaded to the course website. Students will have 36 hours to complete their responses, and submit their finished document online. Word limits will be employed, and students must work alone.

Students will be responsible for all of the required readings and cases, as well as the material covered by the lectures and guest speakers. Further information will be provided later in the term.

SCHEDULE

Please note that the following schedule may change slightly depending on the availability of guest speakers. Any changes will be announced on the course website and in class.

Week 1: Wednesday September 5, 2018

Introduction: the Nature of International Law

Required reading: Currie, chapter 1

Note: the list of essay topics will be posted to the course website on Monday September 10

Week 2: Wednesday September 12

Sources of International Law: Part 1 of 2

Required reading: Currie, chapters 3 (pages 80-94) and 5 (pages 185-201)

Week 3: Wednesday September 19

Sources of International Law: Part 2 of 2

Required reading: Currie, chapter 3 (pages 95-121)

Note: a librarian will speak to the class about conducting essay research and citing sources properly

Week 4: Wednesday September 26

Treaties

Required reading: Currie, chapter 4 (pages 123-167, and 177-184)

Note: students will discuss their essay outlines with each other today in class

Week 5: Wednesday October 3

International Legal Personality: The Subjects of International Law

Required reading: Currie, chapter 2 (pages 21-39, and 56-79)

Week 6: Wednesday October 10

The Use of Force

Required reading: Currie, chapter 11

Week 7: Wednesday October 17

International Law of Armed Conflict

Required reading: will be posted online (David Turns, "The Law of Armed Conflict", in Evans)

Note: the essay assignment is due by 12 pm on Friday October 19

Week 8: the fall break is October 22 – 26

There are no classes this week

Week 9: Wednesday October 31

International Criminal Law

Required reading: will be posted online (Robert Cryer, "International Criminal Law", in Evans)

Week 10: Wednesday November 7

International Court of Justice

Required reading: will be posted online (Hugh Thirlway, "The International Court of Justice", in Evans)

Week 11: Wednesday November 14

The Law of the United Nations

Required reading: will be posted online (Ian Hurd, "The United Nations I: Law and administration")

Week 12: Wednesday November 21

State Responsibility

Required reading: Currie, chapter 12

Week 13: Wednesday November 28

Law of the Sea and the Arctic

Required reading: Currie, chapter 7 (pages 286-323)

Week 14: Wednesday December 5

Conclusion and Course Review

Required reading: review your notes