

Course Outline

COURSE:	LAWS 2601A — Public International Law
TERM:	Summer 2022
P R E R E Q U I - SITES:	1.0 credit from LAWS 1001, LAWS 1002, PSCI 1100, PSCI 1200, or PAPM 1000 [1.0]
CLASS:	Day & Time: Monday and Wednesday, 11:35 am — 2:25 pm
	This class is entirely online
INSTRUCTOR:	Prof. Umut Özsu
CONTACT:	Office Hours: Thursday, 10:00 — 11:30 am (drop-in office hours via Zoom)
	Email: Umut.Ozsu@carleton.ca

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

Public international law has a complex history, one that lends itself to conflicting interpretations. It has also been the object of a variety of competing theoretical projects, most of which diverge radically on questions of form and substance. This course provides an historically and theoretically reinforced introduction to the basic rules, principles, and institutions of public international law.

You will be introduced to the basic doctrinal and theoretical architecture of the field: statehood and other modes of international legal personality; treaties, customs, and other sources of international law; the nature and assertion of jurisdiction; the relation between domestic and international law; and issues of nationality and immunity.

You will also be introduced to a number of rapidly developing sub-fields: use of force; international criminal law; state-building and humanitarian intervention; international human rights

law; Indigenous peoples and international law; and international environmental law.

Please note that this course consists of lectures. The lectures are delivered “asynchronously”. This means that there are no required live, scheduled meetings for lectures. Instead, lectures will be posted sequentially on our course webpage on Brightspace.

REQUIRED TEXT

The only required text for this course is Alexander Orakhelashvili, *Akehurst's Modern Introduction to International Law*, 8th edition (London: Routledge, 2018) (“*Akehurst*”). Copies of other assigned readings will be posted on Brightspace.

Paperback copies of this text should be available at the Carleton University Bookstore as of early May. Please try to obtain access to the most recent edition of this text, as its contents are significantly different from previous editions.

EVALUATION

There are three formal evaluation components to this course:

Mid-term exam: 30% (to be held on Wednesday, May 25, 2022)

Essay: 35% (due Wednesday, June 1, 2022, by 4:30 pm)

Final exam: 35% (to be held online during the formally scheduled exam period)

These evaluation components operate as follows:

1. Essay

You are required to prepare a short essay on one of three topics that I will provide to you. This essay must be approximately 1500 words in total (including notes). It must have a clear thesis, be driven by a structured argument, and draw upon some of the cases, issues, theories, debates, and/or questions that we have examined in the course. Please do not include a bibliography. However, you do need to support your key claims with footnotes.

Be sure to adhere to a consistent style of citation throughout the entirety of your paper. I do not care which style of citation you choose to employ. My own preference tends to be the system set out in the *Canadian Guide to Uniform Legal Citation*, 9th edition (Toronto: Carswell, 2018), known generally as the “McGill Guide”. But I am not sticky on your choice of citation style.

Whichever style of citation you employ, be sure to do so correctly and consistently.

The essay must be submitted electronically by the deadline. Please do not submit a hard copy to the Department of Law and Legal Studies' general office.

2. Final exam

We will hold an online final exam during the formally scheduled exam period. This exam will consist of 40 to 50 multiple choice questions. It will be a “cumulative” exam, i.e. you will be responsible for all material covered in class. You will have 90 minutes to complete the exam.

3. Mid-term exam

We will hold an online mid-term exam. This exam will consist of 30 to 40 multiple choice questions. You will be responsible for all material covered in class until the date of the exam. You will have 90 minutes to complete the exam.

Please note that standing in a course is determined by the course instructor subject to the approval of the Department of Law and Legal Studies and the Dean of Faculty of Public Affairs. 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 dean.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

If you would like to request an extension for less than seven days, please complete the form at the following link and submit it to me prior to the relevant due date: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>.

Extensions longer than seven days will typically not be granted. In those extraordinary cases where extensions longer than seven days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of fourteen days).

SCHEDULE

Note again that this course consists of lectures, and that these lectures are delivered “asynchronously”. This means that there are no required live, scheduled meetings for lectures. Instead, lectures will be posted sequentially on our course webpage on Brightspace.

Monday, May 9, 2022 — General Introduction

Optional reading: *Akehurst*, chapters 1 and 2.

Wednesday, May 11, 2022 — Treaties, Customs, and Other Sources of International Law

Mandatory reading: *Akehurst*, chapter 3.

Monday, May 16, 2022 — Statehood, Recognition, and International Legal Personality

Mandatory reading: *Akehurst*, chapters 5 and 6.

Wednesday, May 18, 2022 — Jurisdiction and Territory / Domestic Law and International Law

Mandatory reading: *Akehurst*, chapters 4 and 10.

Monday, May 23, 2022 — No class (due to statutory holiday)

Wednesday, May 25, 2022 — Use of Force and International Criminal Law

Mandatory reading: *Akehurst*, chapters 19 and 20.

Monday, May 30, 2022 — State-Building and Humanitarian Intervention

Mandatory reading: Covenant of the League of Nations adopted by the Peace Conference at Plenary Session, April 28, 1919, article 22, reproduced in 13 (1919) *American Journal of International Law Supplement* 128 at 137–38.

Antony Anghie, *Imperialism, Sovereignty and the Making of International Law* (Cambridge: Cambridge University Press, 2005) at 115–94.

Independent International Commission on Kosovo, *The Kosovo Report: Conflict, International Response, Lessons Learned* (Oxford: Oxford University Press, 2000) at 163–98.

International Commission on Intervention and State Sovereignty, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* (Ottawa: International Development Research Centre, 2001) at 1–18.

Wednesday, June 1, 2022 — No Session (due to essay deadline)

Monday, June 6, 2022 — International Human Rights Law

Mandatory reading: *Akehurst*, chapter 16.

Wednesday, June 8, 2022 — Indigenous Peoples and International Law

Mandatory reading: Convention Concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Populations in Independent Countries (International Labour Organization Convention No. 107), 26 June 1957, 328 UNTS 247.

Convention Concerning Indigenous and Tribal Peoples in Independent Countries (International Labour Organization Convention No. 169), 27 June 1989, 1650 UNTS 383.

S. James Anaya, *Indigenous Peoples in International Law*, 2nd ed. (Oxford: Oxford University Press, 2004) at 49–94.

Sandra Lovelace v. Canada, Communication No. R.6/24 (29 December 1977), UN Doc. Supp. No. 40 (A/36/40) at 166 (1981).

Declaration on the Rights of Indigenous Peoples, GA Res. 61/295, UN Doc. A/Res/61/295 (2007).

Monday, June 13, 2022 — International Environmental Law

Mandatory reading: *Akehurst*, chapter 17.

Wednesday, June 15, 2022 — International Economic and Development Law

Mandatory reading: *Akehurst*, chapter 18.

COVID-19 PREVENTION MEASURES

It is important to remember that COVID is still present in Ottawa. The situation can change at any time and the risks of new variants and outbreaks are very real. There are [a number of actions you can take](#) to lower your risk and the risk you pose to those around you including being vaccinated, wearing a mask, staying home when you're sick, washing your hands and maintaining proper respiratory and cough etiquette.

Feeling sick? Remaining vigilant and not attending work or school when sick or with symptoms is critically important. If you feel ill or exhibit COVID-19 symptoms do not come to class or

campus. If you feel ill or exhibit symptoms while on campus or in class, please leave campus immediately. In all situations, you must follow Carleton's [symptom reporting protocols](#).

Masks: On the recommendation of Ottawa Public Health, Carleton will be maintaining the mandatory [COVID-19 Mask Policy](#) until further notice. The policy requires masks to be worn in all university buildings, including offices, classrooms and labs.

Vaccines: Further, while proof of vaccination is no longer required as of May 1 to attend campus or in-person activity, it may become necessary for the University to bring back proof of vaccination requirements on short notice if the situation and public health advice changes. Students are strongly encouraged to get a full course of vaccination, including booster doses as soon as they are eligible, and submit their booster dose information in [cuScreen](#) as soon as possible. Please note that Carleton cannot guarantee that it will be able to offer virtual or hybrid learning options for those who are unable to attend the campus.

All members of the Carleton community are required to follow requirements and guidelines regarding health and safety which may change from time to time. For the most recent information about Carleton's COVID-19 response and health and safety requirements please see the [University's COVID-19 website](#) and review the [Frequently Asked Questions \(FAQs\)](#). Should you have additional questions after reviewing, please contact covidinfo@carleton.ca.

ACADEMIC ACCOMMODATIONS

Academic accommodation: 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 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 accommodation regarding a formally-scheduled final exam, you must complete the [Pregnancy Accommodation Form](#).

Religious obligation: Please 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, please [click here](#).

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).

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 where 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: <https://carleton.ca/equity/sexual-assault-support-services>

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 will be provided to students who compete or perform at the national or international level. 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: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

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: <https://carleton.ca/registrar/academic-integrity/>.

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. Read more here: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

For more information on academic accommodation, please visit: <https://students.carleton.ca/services/accommodation/>.

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: <https://carleton.ca/law/student-experience-resources/>.