

Carleton University

Department of Law and Legal Studies

### Course Outline

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**COURSE:** 2601A – Public International Law

**TERM:** Fall 2022

**PREREQUISITES:** Prerequisite(s): 1.0 credit from [LAWS 1001](#) and [LAWS 1002](#) or [PAPM 1001](#) and [PSCI 2003](#).

**CLASS:** **Day & Time:** Tuesday 14:35 - 17:25  
**Room:** University Centre 180

**INSTRUCTOR:** Dr. Mahmoud Masaeli

**CONTACT:** **Office:** C473 Loeb Building  
**Hours:** By appointment  
**Email:** [mahmoudmasaeli@cunet.carleton.ca](mailto:mahmoudmasaeli@cunet.carleton.ca)

#### **COURSE MODALITY**

This is a hybrid course. Two of the lectures will be online. The recorded lectures will be posted on Brightspace.

#### **IMPORTANCE OF SYLLABUS**

This syllabus is a roadmap to succeed in the course. You need to refer to it regularly in order to fulfill the requirements of the course. Syllabi include detailed information about the components of the course, guidelines, and instructions that have already been posted on Brightspace. Please consult Brightspace for updates.

#### **E-MAIL POLICY**

All questions sent by email should receive a response within two working days or by the next class if it takes place within the 48 hours following your email. Please note that the instructor of the course and teaching assistants reserve the right to not respond to an email if the language is not appropriate.

#### **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.

**OFFICIAL COURSE DESCRIPTION**

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This course explores the historical context, developments, and practice of international law, as well as the mutual impacts of politics and law in the international arena. It is designed to tackle the question of whether international law is really law or merely politics cloaked in the language of law. This course will explore a number of foundational concepts of international law, including the sources of law and how international law interacts with domestic/municipal law. We will also examine the legal construct of the core actor in international law: the state. We will look at the extent of a state's power, both legal and physical. Building on these core concepts, we will then study how states resolve their disputes, engage in the use of armed force, and regulate human rights. Throughout, we will also study other actors (i.e., the individual, corporations, and international organizations) and the role they play in the international legal order. The primary objective of this course is to expose students to the core concepts of international law and to develop familiarity and fluency with the vocabulary of international law. Through the course, students will become familiar with the actors in the international legal system, how the international legal order functions, and the limits of international law.

**TERMINAL COURSE OBJECTIVES**

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By the end of the course, students must be able:

- To understand the intellectual and historical context within which international organizations have been formed and developed.
- To apply a theoretical framework that best fits the study of IOs and explain the legal and political nature of international organizations.
- To analyze the legal nature of international organizations, the institutional arrangements and legal instruments, and their place and role in the international legal/political system.
- To have an analytical understanding of the powers of international organizations and their impact on socialization and humanization of the lifeworld.
- To have a deep understanding of the law applicable to international institutions both within respect to internal matters and to external relations.
- To interpret the legal instruments that are produced by international organizations and the context in which those instruments might be applied.
- To be familiar with certain specific areas of practice of international institutions both at operational and normative levels.

**TEXTBOOK**

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Currie, John H. (2008). *Public International Law*. Available online at MacOrdum Library. Cases for assessment are online. Please check URL links below each session.

**ASSESSMENT METHOD**

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The following is a breakdown of the marking scheme for the course. Detailed descriptions follow:

- Attendance and Participation: 10 points** – Students are expected to attend every class, to arrive on time, and to participate in class activities. If you miss classes, only two of your absence will be considered excused, except if you provide a good reason for your absence. If you must miss a class for a legitimate reason, please notify me in advance, if possible.

Five points will be dedicated to your attendance, and another 5 points to your active participation. We will subtract 1 point for each absence.

**Commented [MM1]:** This is a new component added to the syllabus

- Case Assessment: 15 points** - Students will need to complete three written assessments during the first half of the course. The assessments are designed for students to demonstrate an understanding of the materials presented in the course. Each assessment will be between 500 – 700 words.

**Commented [MM2]:** This was four cases. But, I reduced it to three

Instructions are posted on Brightspace. Assignments must be submitted electronically to Brightspace.

Date	The case
October 01, before 11:30 pm	Case Concerning East Timor
October 08, before 11:30 pm	Case Concerning Military and Paramilitary Activities in and against Nicaragua
November 12, before 11:30 pm	Western Sahara Case

- Short assignments: 15 points** – Students will submit three sets of critical summaries of the chapters of the textbook (maximum 2 pages double-spaced) and will submit six original questions (for each chapter two questions) about the topics that are shown on the table below. Assignments must be submitted electronically to Brightspace.

Date	Weight	The topic
October 08 Before 11:30 pm	A critical analysis (4 points). Two original questions on the topic (1 point).	Law of Treaties pp. 123–184.
October 22 Before 11:30 pm	A critical analysis (4 points). Two original questions on the topic (1 point).	International and domestic law Currie, pp. 218-264
November 19 Before 11:30 pm	A critical analysis (4 points). Two original questions on the topic (1 point).	State jurisdiction Curries, pp. 332-363

- **Mid-term exam: 30 points** - There will be a midterm exam in class on Tuesday, November 08. The exam is comprehensive and covers all readings and lectures. The exam will be 2:00 hours in length. You will answer six very short definition questions (each of them 1 point) and four (out of five) explanatory/descriptive questions (each of the 6 points).
- **Final exam: 30 points** – There will be a final exam that takes place during the scheduled exam by the University. In the final exam, you must answer questions from the last three classes. The questions will be explanatory. Detailed instructions will be provided.

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**Components of Final Mark**

Evaluation format	Weight	Date
Attendance and participation	10 points	Throughout the fall term
Case assessments	15 points (each 5 points)	On page 3
Short assignments	15 points	On page 3
Midterm	30 points	November 08
Final exam	30 points	During the final exam period
Total	100 marks	N/A

**Late assignments:**

Extensions beyond the original due date will not be granted. If you are ill, please use the self-declaration form found here: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>

If you have another legitimate reason for lateness in the submission of the assignment, please see the professor with the original documents justifying your absence as soon as possible (preferably before the due date).

Two points per day will be deducted for the first day of late submission and one point for each following day. Weekends are not excluded from this policy.

**CLASS SCHEDULE**

**Week 1      September 13**  
**Introduction to the Course and the Nature of Public International Law**

Reading:      Currie, pp. 1-20

**Week 2      September 20**

**International Legal Personality**

Reading: Currie, pp. 21-79

**Week 3      September 27**  
**Sources of International Law**

Reading: Currie, pp. 80-122.  
Case 1: [Case Concerning East Tim or \(Portugal v. Australia\)](#)

**Week 4      October 04**  
**The Law of Treaties**

Reading: Curries, pp. 123–184.

**Week 5      October 11**  
**Customary International Law**

Reading: Currie, pp. 185–217  
Case 1: [Concerning Military and Paramilitary Activities in and against Nicaragua](#)  
Case 2: [North Sea Continental Shelf Case](#)

**Week 6      October 18**  
**Reception of International Law in Domestic Law**  
The online session. Recorded lecture will be on Brightspace.

Reading: Currie, pp. 218-264

**Week 7      October 25**  
**Winter break – no class**

**Week 8      November 01**  
**States and Territory**  
The online session. Recorded lecture will be on Brightspace.

Reading: Currie, pp. 205-228.  
Case 1: [Western Sahara Case](#)  
Case 2: [Case Concerning Military and Paramilitary Activities in and against Nicaragua](#)

**Week 9      November 08**  
**Midterm exam**

**Week 10      November 15  
State Jurisdiction**

Reading:      Curries, pp. 332-363

**Week 11      November 22  
International Protection of Human Rights**

Reading:      Currie, pp. 412-447.

**Week 12      November 29  
The Use of Force in International Relations**

Reading:      Currie, pp. 448-532

**Week 13      December 06  
Final assignment**

**DEPARTMENT POLICIES AND REGULATIONS**

Please review the following webpage to ensure that your practices meet our Department's expectations, particularly regarding standard departmental protocols and academic integrity requirements: <https://carleton.ca/law/student-experience-resources/>.

**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/>.

**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**

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**

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 [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](mailto: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 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>.

Outline LAWS 2601A

Fall 2022

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