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PSCI 433.01: International Law and Organization

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INTERNATIONAL LAW AND ORGANIZATIONS
SPRING 2018
CLASS: THURSDAYS. 5:00 PM – 7:20 PM, LA 337
OFFICE HOURS: THURSDAY, 3:50-4:50 PM CORBIN 332

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OVERVIEW OF COURSE: This course will provide an overview international law and organizations. This course will introduce students to the fundamentals of international law and organizations, including enforcement and compliance issues, sources of international law, dispute resolution in international law, international law's relationship with U.S. law, an introduction to international human rights, international law regarding the use of force, and international environmental law.

READINGS: Readings are from Sean Murphy, Principles of International Law (2d. Edition) and supplemental readings posted on Moodle. Readings for each class are listed below. Where readings include additional readings beyond the Murphy text, the readings are listed below, and on moodle attached in the section for the applicable class below. All students are responsible for reading the assigned Murphy text and the additional text listed in the syllabus and attached below for each class. **Students are expected to come to class prepared to answer questions and engage in meaningful discussion regarding the subject matter in each listed reading.**

GRADING/ASSESSMENT: Students' grades will be determined as follows:

- **50% Final** – Cumulative open book exam on May 10. Location to be announced.
- **25% Mid-Term** – Open book take home exam. Mid-term will be posted to moodle on Tuesday, March 6th. **Students must turn in a hard copy of their mid-term answer to class on Thursday, March 8 at the beginning of class. No late answers will be accepted.**
- **25% Class participation and reading questions** – No later than 24 hours prior to class, I will post reading questions for the reading for the upcoming class. Students must bring a hard copy of their reading question responses to class. Each reading question response will be worth approximately 2% of your grade. Reading question responses need not be more than a paragraph per question response, and must show that the student has read the material assigned.

Objectives and Learning Outcomes: At the end of this course, students should have a clear idea of the rules, actors, and disputes resolution mechanisms in international law. Additionally, students should have an understanding of the history and conceptual underpinnings of international law. Students should be knowledgeable regarding the international human rights' history, multi-lateral and regional treaty regimes, substantive rights, monitoring of human rights compliance and dispute resolution. Substantive rights covered in this class include rights guaranteed to all, rights guaranteed to specific groups,

and prohibitions on specific conduct. Students should also be knowledgeable regarding international law of use of force.

Office Hours: I will have office hours on Thursday in Corbin 332 from 3:50 – 4:50 pm on Thursdays. I am also available by email, phone, and by appointment.

Reading:

Class 1: Thursday, January 25

Introduction to international law, including definitions, actors, enforcement and sanctions.

- Murphy: 173-197

History of International Law and the importance of sovereignty

- Murphy: 19-26
- Excerpts of treaty of Westphalia (moodle)

Class 2: Thursday, February 1

International legal rules: Introduction to treaties

- Murphy: 77-83
- Vienna Convention on the Law of Treaties, Articles 6, 9, 10, 11, 14, 15, 16, 18, 24, 26, 27, 31, 32, 57, 60, 61, 62, 64 (moodle).

Treaties and reservations

- Murphy: 83-90
- Vienna Convention on the Law of Treaties, Articles 19-23 (moodle)

THERE WILL BE NO CLASS ON THURSDAY, FEBRUARY 8. THIS CLASS WILL BE MADE UP AT A LATER DATE IN THE SEMESTER TO BE DETERMINED.

Class 3: Thursday, February 15

International legal rules cont'd: Customary International Law

- Murphy 91-101
- Paquette Habana (moodle)

International legal rules cont'd: General Principles of Law, Jus Cogens

- Murphy 101-116
- Prosecutor v. Furundzija (moodle)

Class 4: Thursday, February 22

United Nations' role in creation of international law

- Murphy 47-62

UN Security Council's role in enforcement of international law

- Murphy 104-106
- UN Charter Chapter VII (moodle)
- UN Security Council Resolution 2253 (2015) pp. 1- 6 only (moodle)

Class 5: Thursday, March 1

Tribunals and dispute resolution in international law: Arbitration

- Murphy 125-140
- South China Sea case summary, map and 9 dash line diagram (moodle)

Tribunals and dispute resolution in international law, cont'd: International Court of Justice

- Murphy 140-162
- Summary of Avena ICJ case (moodle)

Class 6: Thursday, March 8

Tribunals and dispute resolution in international law, cont'd: International Criminal Court

- Murphy 472-487
- ICC Article (moodle)

Class 7: Thursday, March 15

International law as part of U.S. law

- Murphy 167-169
- Constitutional provisions relating to international law (moodle)
- Roper v. Simmons excerpts (moodle)

Class 8: Thursday, March 22

Introduction to international human rights

- Murphy 333-336, 340-345
- UN Charter, Articles 1-2 (moodle)
- Universal Declaration of Human Rights (moodle)

International human rights cont'd: International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights

- Murphy 345-350
- ICCPR, Articles 1 – 23 (moodle)
- ICESCR Articles 1 – 15 (moodle)

Class 9: Thursday, April 5

International human rights cont'd: Criminal defendants' rights under international law

- Power point (moodle)

Class 10: Thursday, April 12

International human rights cont'd: Specialized human rights treaties

- Murphy 350-362
- Convention Against Torture, Arts. 1, 2, 3, 10, 11, 14, 15 and 16 (moodle)

Monitoring, compliance and dispute resolution of international human rights: UN treaty-based monitoring, compliance and dispute resolution bodies - GUEST SPEAKER

- Murphy 362-369
- Optional Protocol to ICCPR (moodle)
- Damien v. Jamaica (moodle)

Class 11: Thursday, April 19

International human rights cont'd: Refugee rights under international law - GUEST
SPEAKER

- Murphy 279-381
- UNHCR – Convention and Protocol Relating to the Status of Refugees (moodle)

Class 12: Thursday, April 26

Use of force – Jus Ad Bellum

- Murphy, 491-514

Use of force, cont'd – Jus In Bello

- Murphy 515-529

Class 13: Thursday, May 3

International Environmental law

- Murphy, 415-452

FINAL – Thursday, May 10

Disability Services & Accommodations

The University of Montana assures equal access to instruction through collaboration between students with disabilities, instructors, and Disability Services for Students. If you have a disability that adversely affects your academic performance, and you have not already registered with Disability Services, please contact Disability Services in Lommasson Center 154 or 406.243.2243. I will work with you and Disability Services to provide an appropriate modification.

Academic Honesty

All students must practice academic honesty. Academic misconduct is subject to an academic penalty by the course instructor and/or a disciplinary sanction by the University. All students need to be familiar with the [Student Conduct Code: \(http://www.umt.edu/vpsa/policies/student_conduct.php\)](http://www.umt.edu/vpsa/policies/student_conduct.php).

Attendance Policy

The in class assessments that make up students' grades will include information in the reading and discussed in class. Students are responsible for all materials set forth in reading and discussed in class.

Withdrawing from Course

February 9: last day to withdraw from course without W and with refund.

May 4: last day to withdraw from course with W and without refund.