

International Law

(Fall 2024; Monday 14:00–17:00)

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Course Description

The goal of this course is to enhance students' understanding of the structure and process of the international legal system, as well as the basic concepts, fundamental doctrines, substantive rules, operational mechanisms, and evolving practices of international law. The course will specifically address the sources and subjects of international law, how international disputes are resolved, under what conditions states can be held responsible, how international law is enforced, what the substances of international law are, and domestic courts and their relationship with international law. Students will also learn how to identify a wide range of contemporary international problems and examine their legal aspects, both of which are necessary skills for experts in the field of international cooperation.

Required Readings (Textbook)

Jan Klabbers, *International Law*, 4th edition (Cambridge University Press, 2024)

References

Malcolm N. Shaw, *International Law*, 9th ed. (Cambridge University Press, 2021).

James Crawford, *Brownlie's Principles of Public International Law*, 9th ed. (Oxford University Press, 2019).

Jens David Ohlin, *International Law: Evolving Doctrine and Practice*, 2nd ed. (Foundation Press/West Academic Publishing, 2021).

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

Alexander Orakhelashvili, *Akehurst's Modern Introduction to International Law*, 9th ed. (Routledge, 2022).

Paola Gaeta, Jorge E. Viñuales, and Salvatore Zappalá, *Cassese's International Law*, 3rd ed. (Oxford University Press, 2020).

Malcolm D. Evans, *Blackstone's International Law Documents*, 15th ed. (Oxford University Press, 2021).

Klabbers's *International Law* (the book with an asterisk (*)) will be used as the course textbook, and students are required to obtain it. Students are expected to complete the assigned readings from Klabbers's textbook each week.

Students are encouraged, but not required, to refer to the references listed in this syllabus. All the relevant materials relating to case studies can be found on the websites of the International Court of Justice (www.icj-cij.org), the International Tribunal for the Law of the Sea (www.itlos.org), and the International Criminal Court (www.icc-cpi.int).

Course Schedule (Weekly)

Week 1 (Sep. 2) Introduction to the Course and the International Legal System

This session will be devoted to meeting one another, gaining an understanding of the basic concepts and principles to be utilized in the course, and setting expectations for students.

- References: Paola Gaeta, Jorge E. Viñuales, and Salvatore Zappalá, *Cassese's International Law*, 3rd ed. (Oxford University Press, 2020), pp. 3-19.

Week 2 (Sep. 9) Nature and Development of International Law

- **Reading: *Klabbers, Ch. 1 (The Setting of International Law)**
- References: Shaw, Chs. 1-2; Crawford, Ch. 1; Ohlin, Ch. 1; Evans (International Law, 5th ed., 2018), Chs. 1-2; Orakhelashvili, Chs. 1-2; Gaeta et al., Part I (Chs. 1-3).

Week 3 (Sep. 16) No class (Chuseok)

Week 4 (Sep. 23) Sources of International Law

- **Reading: *Klabbers, Ch. 2 (The Making of International Law)**
- References: Shaw, Ch. 3; Crawford, Ch. 2; Ohlin, Ch. 2; Evans (International Law, 5th ed., 2018), Chs. 4-5; Orakhelashvili, Ch. 3; Gaeta et al., Chs. 9 and 11.

Week 5 (Sep. 30) The Law of Treaties

- **Reading: *Klabbers, Ch. 3 (The Law of Treaties)**
- References: Shaw, Ch. 15; Crawford, Ch. 16; Ohlin, Ch. 3; Evans (International Law, 5th ed., 2018), Ch. 6; Orakhelashvili, Ch. 12; Gaeta et al., Ch. 10.

Week 6 (October 7) Subjects of International Law: States, International Organizations, and Others

- **Reading: *Klabbers, Ch. 4 (The Subjects of International Law)**
- References: Shaw, Ch. 5; Crawford, Part II (Chs. 4-7); Ohlin, Chs. 4-5; Evans (International Law, 5th ed., 2018), Chs. 7-8; Orakhelashvili, Chs. 5-6; Gaeta et al., Chs. 4 and 7.

Week 7 (October 14) The Scope of Sovereignty: Jurisdiction and Immunities

- **Reading: *Klabbers, Ch. 5 (Jurisdiction, Powers, and Immunities)**
- References: Shaw, Chs. 11-12; Crawford, Part VII (Chs. 20-22); Ohlin, Chs. 15-16; Evans (International Law, 5th ed., 2018), Chs. 10-12; Orakhelashvili, Chs. 10-11; Gaeta et al., Chs. 5-6.

Week 8 (October 21) Individuals in International Law and International Human Rights Law

- **Reading: *Klabbers, Ch. 6 (The Individual in International Law, Including Human Rights)**
- References: Shaw, Ch. 6; Crawford, Chs. 28-29; Ohlin, Ch. 11; Evans (International Law, 5th ed., 2018), Chs. 9 and 25; Orakhelashvili, Chs. 15-16; Gaeta et al., Chs. 8 and 18.

Week 9 (October 28) Responsibilities in International Law

- **Reading: *Klabbers, Ch. 7 (The Law of Responsibility)**
- References: Shaw, Chs. 13 and 7; Crawford, Part IX (Chs. 25-27); Ohlin, Ch. 6; Evans (International Law, 5th ed., 2018), Part V (Chs. 14-16); Orakhelashvili, Ch. 13; Gaeta et al., Ch. 12.

Week 10 (Nov. 4) Peaceful Settlement of International Disputes & Enforcing International Law

- **Reading: *Klabbers, Chs. 8 - 9 (International Courts and Tribunals; Sanctions, Countmeasures, and Collective Security)**
- References: Shaw, Chs. 17-18; Crawford, Chs. 31-32; Ohlin, Chs. 7-8; Evans (International Law, 5th ed., 2018), Chs. 17-19; Orakhelashvili, Chs. 22-23; Gaeta et al., Chs. 13, 14, and 16.

Week 11 (Nov. 11) Use of Force

- **Reading: *Klabbers, Ch. 10 (Use of Force)**
- References: Shaw, Ch. 19; Crawford, Ch. 33; Ohlin, Chs. 9-10; Evans (International Law, 5th ed., 2018), Ch. 20; Orakhelashvili, Ch. 20; Gaeta et al., Ch. 16.

Week 12 (Nov. 18) International Humanitarian Law & International Criminal Law

- **Reading: *Klabbers, Chs. 11-12 (The Law of Armed Conflicts; International Criminal Law)**
- References: Shaw, Chs. 7 & 20; Crawford, Ch. 30; Ohlin, Chs. 12-13; Evans (International Law, 5th ed., 2018), Chs. 24 and 27; Orakhelashvili, Chs. 19 and 21; Gaeta et al., Chs. 17 and 19.

Week 13 (Nov. 25) The Law of the Sea

- **Reading: *Klabbers, Ch. 13 (The Seas, the Air, and Outer Space)**
- References: Shaw, Ch. 10; Crawford, Part IV (Chs. 11-13); Evans (International Law, 5th ed., 2018), Ch. 21; Orakhelashvili, Chs. 8-9; Gaeta et al., Ch. 5.

Week 14 (Dec. 2) Applying International Law in Domestic Courts & Preview for the Final Exam

- **Reading: *Klabbers, Ch. 16 (Domestic Courts and Their Relationship with International Law)**
- References: Shaw, Ch. 4; Crawford, Ch. 3; Ohlin, Ch. 14; Evans (International Law, 5th ed., 2018), Ch. 13; Orakhelashvili, Ch. 4; Gaeta et al., Ch. 11.

Week 15 (Dec. 9) Final Exam

★*Make-up class for Week 3: An online lecture will be provided on Dec. 16.*

- The make-up class will be conducted as a review session for the final exam.

Course Requirements

Grading for the course will be based on the following three elements:

1) Attendance and Class Participation (20%)

Students are expected to attend all classes, do all required readings in advance, participate actively in class discussion, and make valuable contributions.

2) Mid-Term Assignment: International Law in Movies (40%)

Students will submit a paper on international law-related issues in movies. At the beginning of the semester, the professor will provide a recommended list of movies that address international law-related issues. Students are required to choose one movie from the provided list, watch it, and write a case report on international law-related issues in the chosen movie. **The submission deadline is 11:00 p.m. on Nov. 1st.** Further details regarding the submission of the midterm paper will be announced during the class.

3) Final Exam (40%)

The in-class final exam will be conducted as an open-book exam. There will be two questions. One of them will be a hypothetical case question, where students will read given hypothetical fictitious factual situations, identify the legal issues raised, determine applicable international law, analyze the problem by applying the laws to the facts, and ultimately draw conclusions based on the above analysis or reasoning. The other question will be a short essay question designed to test overall understanding of the legal principles and rules covered in the course. Further details regarding the final exam will be announced during the class.

Office Hours

Wednesday afternoon, from 2:00 to 4:00 p.m. (If students have other classes or activities at this time, an alternative appointment can be arranged.)