

SSCLAWJ208 – Introduction to Public International Law Spring 2024 (Group I)

Classroom no: F.14 (Franklin)

Class times: Monday 16:00-18:00, Thursday 16:00-18:00

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I. Track information

Track outlines are available on the intranet <https://intranet.ucr.nl/document/curriculum/>.

Course prerequisites are available at <https://ucr.nl/prereq>. Information on minors is available on the intranet: <https://intranet.ucr.nl/document/studying/rules-procedures/minors/>.

II. Course description

This course serves as a general introduction to public international law as a field of study and professional discipline. Designed to provide you with a foundational knowledge of the creation and the historical evolution of the subject, it is broadly divided into three parts. The first part deals with general *principles* of international law such as its sources, subjects, and organization. In the second part, the focus shifts to specific *domains*, namely the regulation of the use of force, the law of armed conflict, international criminal law, environmental law, human rights law, and refugee law. The final part addresses the *politics* of international law as it delves into issues such as the right to self-determination, Third World Approaches to International Law, and questions of compliance and effectiveness.

The general purpose of the course is to shed light on some of the most important questions of international law both from a formal legal and a social science perspective. Performance in the course will be assessed through homework assignments, a mock and an open book exam, as well as a final research paper.

III. Study Load

This course earns students 7.5 EC. The class meets twice a week for two hours. Preparation time is approximately 10 hours per week.

IV. Course materials

The textbook we will use is Jan Klabbers's *International Law* (4th edition, Cambridge University Press, 2023). Please make sure to buy the most recent edition, which features the latest case law and other developments.

Additional mandatory readings (case law, journal articles etc.) will be indicated on Moodle at least four days in advance of a class. You must acquire these readings individually. Most of the assigned journal articles are available through Utrecht University's digital library. Other readings are available through the Zeeuwse Bibilothek (e.g., as an inter-library loan) or via online services such as Google Books. Please note that bringing materials to class is obligatory.

V. Course organization and requirements

a) General format of class meetings

This course constitutes an exercise in *democratic teaching*. This means that classes are primarily organized as discussion seminars and workshops, with both the students and the instructor sharing the responsibility for creating a thriving learning community. In addition, it entails a commitment to diversity and inclusion, both in curriculum design and class organization. The content and the structure of this course are open to deliberation and collective decision-making, provided that any changes comply with the academic requirements and standards established by UCR as an educational institution.

This course is roughly divided into three parts (see also sections VII and VIII). The first nine weeks focus on *general principles* and selected *domains* of international law. During this period, you will first get 30 minutes to watch short knowledge clips that I have prepared on the topic of the day, which will also answer the three questions posed for the homework assignment (see Section VI.a). The next 30 minutes will be dedicated to an interactive Q&A discussing any lingering questions and expanding on the materials. During the second hour of these sessions, you will be divided into small groups to apply the sources and principles discussed in the preceding hour. These activities may involve simulations or the resolution of actual or hypothetical legal cases. The exercises are also intended to prepare you for the mock and open-book exams scheduled in weeks 7 and 11, the latter marking the end of this period.

In weeks 12 to 15, the central theme will pivot to exploring the politics of international law, starting with a guest lecture by *Dr. Shpend Kursani* (University of Tartu) dealing with the politics of the right to self-determination. The other sessions in this part will be dedicated mostly to group activities and debates. That said, we will spend the first 30 minutes of each session in plenary, answering the questions of the homework assignments, discussing specific examples of pertinent issues, and making a connection with earlier phases of the course.

b) Student expectations

General UCR policy requires students to attend all sessions. In the spirit of democratic teaching, you are invited to participate actively and consistently, both in small and large group contexts. Reading and preparing all assigned materials are not just a means to obtain a good grade, but your personal contribution to the success of our collective learning community. This is your course – you are responsible for the learning process of all of us.

Please note that the use of laptops and tablets can hinder the principles of democratic teaching and should hence be avoided. Exceptions to this rule are: (a) workshop settings where you work in groups on specific tasks, notably during the second hour of class, and (b) situations where it is necessary to achieve reasonable accommodation.

c) Instructor expectations

The primary task of the instructor is to organize and facilitate the collective learning process. For this purpose, I will moderate discussions, advise you on how to best prepare your individual and collective projects, and offer feedback on your written and oral work.

I will also answer your procedural and substantive questions – in the case of the latter, in the form of short knowledge clips ahead of each session and the Q&A during the first 30 minutes (see section V.a). More generally, I am co-responsible (together with you, the students) for creating a safe and stimulating learning environment for everyone.

d) Rules for missing classes and deadlines

Since attendance is obligatory, it will also be accounted for. You may miss four sessions, with any additional absences affecting the participation grade. Missing more than six will result in failing the course as per UCR policy. Absences do not need to be excused.

To ensure equality among all students, missed deadlines will be subject to a strict reduction of grades unless you prove to have suffered from extenuating circumstances. More specifically, any delay in submitting your assignments, mock exams, or your final paper will be sanctioned by a reduction of 10 % of the grade per day (or part thereof).

e) Procedures for communication

Moodle as the official mode of communication will be used extensively for the entire duration of this course. You will be able to access all the essential materials through the system, including instructions and feedback on assignments, and general announcements.

This course is subject to UCR academic rules and procedures. Both students and instructors are required to know and follow these rules and procedures. Any suspected case of plagiarism or other infringements of academic integrity will be forwarded to the Board of Examiners.

VI. Assessment

The final grade will be based on five elements:

a) Homework Assignments – 25 %

For each session, you will demonstrate your understanding of the textbook chapter (or other readings) by completing homework assignments. Specifically, you will be asked to answer three guiding reading questions based on your comprehension of the materials. After each session, I will randomly collect a few homework assignments, ensuring that every student's work is evaluated at least four times before the end of term. Your submissions should be less than one page in length and will be evaluated based on the depth and thoughtfulness of your engagement with the assigned materials. Over the course of the semester, you are allowed to miss submitting your assignments three times without your grade being affected.

b) Mock Exam – 5 or 10 %

There will be a mock exam in week 7, primarily to serve as preparation for the open-book exam in week 11. This take-home exam will consist of two fictitious legal scenarios that you will be asked to resolve within a period of twelve hours.

Your submission will be evaluated based on identification of the relevant legal instruments (1/3), their correct and reasoned application to the facts at hand (1/3), as well as formatting, language, and style (1/3). Depending on whether you perform better in the mock exam or the open book exam, this component will count either 5 or 10 % of your final grade.

c) Open Book Exam – 25 or 30 %

The exam takes place in week 11, marking the end of the part of the course dealing with the different *domains* of international law. You will be given two fictitious legal scenarios to resolve within a period of two hours. You will be able to rely on all accessible materials, which should all be adequately cited.

The basis for assessment will be the identification of the relevant legal instruments (3/8), their correct and reasoned application to the facts at hand (3/8), as well as formatting, language, and style (1/4). The open book exam will count for either 25 or 30 % of your course grade depending on whether you performed better in the mock exam.

d) *Final Paper* – 25 %

The final research paper, consisting of approximately 2,500 words, will be due (via Moodle) at the end of week 15. You are expected to identify independently a relevant topic of interest related to the course. The basis for my assessment will be structure and cohesiveness (1/3), quality and depth of the research effort (1/3), and formatting, language and style (1/3).

You will submit an ungraded proposal which includes a problem statement, research question, and a tentative outline, in week 9. Feedback on this proposal will be provided by email and in group consultations on 8 and 11 April, when small groups of 3-4 students researching related topics will meet with the instructor to discuss each proposal. The quality of the feedback that you offer to your colleagues will account for 1/5 of the grade for this assignment (or 5% of the course grade).

e) *Participation* – 15 %

Your participation grade will be based on an evaluation of your active contribution to class discussions and in-class group work as well as any missed absences beyond the accepted limit (see section V.d). I will give you a preliminary participation grade at the midpoint to inform you about your performance and give you the opportunity to improve during the latter half of the course.

More detailed instructions (incl. grading rubrics) will be provided for each of the assessment items before the start of the respective tasks.

Grades for each of the assignments are given on a numerical scale from 0-100. The final grade for the course is computed as a weighted average of these grades. To translate the final score into a letter grade, the standard UCR chart will be used (see Student Handbook).

VII. Course schedule

	Week/date	Topics	Reading	Assignment due	
PRINCIPLES	1	29 Jan	Why international law?	Klabbers 1	
		1 Feb	The sources of international law	Klabbers 2	
	2	5 Feb	The law of treaties	Klabbers 3	
		8 Feb	Subjects of international law	Klabbers 4	
	3	12 Feb	How to read judgments	AM	
		15 Feb	Jurisdiction and immunities	Klabbers 5	
	4	19 Feb	The role of domestic courts	Klabbers 16	
		22 Feb	The law of responsibility	Klabbers 7	
DOMAINS	5	26 Feb	No class		
		29 Feb	The law on the use of force	Klabbers 10	
	6	4 Mar	The UN collective security system	AM	
		7 Mar	The law of armed conflict	Klabbers 11	
	7	11 Mar	International criminal law	Klabbers 12	
		14 Mar	Mock exam		
	8	18 Mar	International human rights law	Klabbers 6	
		21 Mar	International refugee law	AM	
	Spring break				
	9	1 Apr	Easter Monday (no class)		
		4 Apr	International environmental law	Klabbers 14	Research proposal
		10	8 Apr	Group consultations	
11 Apr					
11		15 Apr	Exam		
POLITICS		18 Apr	The politics of self-determination	AM	
	12	22 Apr	TWAIL	AM	
		25 Apr	Cities and local authorities	AM	
	13	29 Apr	Soft law and commitment	AM	
		2 May	"Reimagining victims" workshop	AM	
	14	6 May	Theories of compliance	AM	
		9 May	Ascension (no class)		
	15	13 May	The effectiveness of int'l law	AM	
		16 May	Feedback session		Final paper

AM = (Additional) Assigned Materials

VIII. Student learning outcomes (SLO)

You are able to	Teaching and learning activities	Assessment
<p>SLO 1 – Comprehend the evolution of public international law as both a field of study and of legal practice.</p> <p>SLO 2 – Understand the interrelation between international law and domestic law, notably national legal systems and courts</p>	<p>Knowledge clips</p> <p>Discussions</p> <p>In-class group work</p>	<p>Homework assignments</p>
<p>SLO 3 – Evaluate the relevance and value of various types of sources in public international law, including subsidiary sources.</p> <p>SLO 4 – Distinguish between and compare selected domains of public international law.</p> <p>SLO 5 – Apply rules and principles of international law to complex factual situations and propose specific legal arguments for their resolution.</p>	<p>Knowledge clips</p> <p>Discussions</p> <p>In-class group work</p>	<p>Homework assignments</p> <p>Mock exam</p> <p>Exam</p>
<p>SLO 6 – Evaluate the shortcomings of international law in the regulation of specific domains and offer a substantiated legal, empirical and/or normative critique of the status quo.</p>	<p>Knowledge clips</p> <p>Discussions</p> <p>In-class group work</p> <p>Group consultations</p>	<p>Homework assignments</p> <p>Research paper</p>