THE UNIVERSITY OF TORONTO  POLI 340 Y1Y  DR. ROSS MICHAEL PINK
Office: SS3105  Email:  Office Hours: Mon/Wed  4 – 5:30 p.m.
Class Time: Monday and Wednesday:  6 – 8 p.m.  Room UC 179

SYLLABUS  POLI 340 Y1Y  INTERNATIONAL LAW

Course Description:  the development and functioning of international law and international politics with emphasis upon case law, case studies, and international institutions such as the United Nations and International Criminal Court will be addressed. The topics to be covered include: sources of international law, its application in national and international law forums, leading international law decisions, the recognition of states and governments, International Treaties and their application, the issue and functioning of sovereignty, international and domestic human rights, nationality and statehood, humanitarian intervention and the use of force. The important issues of enforcement and compliance in international law will also be examined.

Course Treaty Focus:
1) International Covenant on Civil and Political Rights, 1966
4) International Criminal Court, 2002


Week 1 Class 1 Monday May 13
The Nature and Development of International Law; Relevant Theoretical Perspectives: Realism, Cosmopolitanism, and Human Security; How to Enforce International law; Text Reading: Chapter 1 and 2

Week 1 Class 2 Wednesday May 15
The United Nations Charter; the Evolution of International Law; Case Study: The Security Council and Power Politics; Case Study: The United Nations High Commissioner for Refugees, UNHCR; Text Reading: Chapter 22.

Week 2 Class 3 Wednesday May 22
Sources of Law; Customary Law; Treaties: 1961 Vienna Convention on Diplomatic Relations; The Concept of Equity in International Law: Case Study, India and Pakistan 1968; The International Law Commission; TREATY FOCUS ICCPR; ICCPR Articles 18, 24; DISCUSSION GROUP 1: How to Improve the Enforcement of Articles 18 and 27;  Text Reading: Chapter 3
Week 3 Class 4 Monday May 27
International Law and States; Sovereignty; The Limits of Sovereignty; Subjects of International Law; The Limits of Sovereignty: The Kantian Theory of International Law; **TREATY FOCUS:** ICCPR / ICCPR Article 27; Case Study: Dalits in India; Text Reading: Chapter 5 and Journal article: Wings Over Libya: The No-Fly Zone in Legal Perspective, Michael N. Schmitt, The Yale Journal of International Law On-Line

Week 3 Class 5 Wednesday May 29
The World Trade Organization (WTO) and Implications for International Trade and Law Controversy over the WTO and Globalization; Case Study: Brazil and Mexico; Text Reading: Chapter 23; Journal Article: Carving Out Policy Autonomy for Developing Countries in the WTO: The Experience of Brazil and Mexico, by Alvaro Santos, Virginia Journal of International Law, Vol. 52, No. 3;
**DISCUSSION GROUP 2:** Does the WTO Unfairly Penalize Developing Countries

Week 4 Class 6 Monday June 3
International Environmental Law; Water Rights and Development in International Law; The United Nations and the Right to Water; Case Study: Human Security and the Right to Water and Sanitation: Examples from India and Indonesia; **TREATY FOCUS:** CEDAW, Articles 12, 14(1);
**DISCUSSION GROUP 3:** Extending Water Rights in International Law

Week 4 Class 7 Wednesday June 5
INTERNATIONAL LAW QUIZ – 20 Marks
The Law of the Sea; the Right of Passage; Marine Piracy; Case Study: The United States, Iran and the Strait of Hormuz; Text Reading: Chapter 11

Week 5 Class 8, Monday June 10
International Human Rights Law; **TREATY FOCUS:** CEDAW Articles 2, 10; Case Study: Education Rights in the Congo and Cameroon; Text Reading: Chapter 21

Week 5 Class 9, Wednesday June 12
International Law and Children; **TREATY FOCUS CRC 1989; Article 24, 35;** Examination of the United States Department of State, Trafficking in Persons Report (TIP Report) Myanmar, Nepal and Brazil; Text Reading: Chapter 6
Week 6 Class 10, Monday June 17
Minorities in International Law; **TREATY FOCUS: CRC 1989, Articles 7, 30**;
Case Study: The Northern Hill Tribes in Thailand; Case Study: The Lovelace Case in Canada; The United Nations Declaration on the Right of Persons Belonging to National or Ethnic, Religious and Linguistic Minority Groups; **DISCUSSION GROUP 4: A Framework to Protect and Extend Rights to the Northern Hill Tribes in Thailand**
Text Reading: Chapter 6 p. 293-302

Week 6 Class 11, Wednesday June 19
**TREATY REPORT DUE**
The International Court of Justice; Case Study: International Court of Justice and East Timor, ICJ, Canada v. Spain; Text Reading: Chapter 19; Journal Article: *Jus ad Bellum Before the International Court of Justice,* John Norton Moore, Virginia Journal of International Law, Vol. 52, No. 4; June 2012

Week 7, Class 12  Wednesday July 3
The Settlement of Disputes; Case Study, The Chad-Libya dispute; The Falklands War and Political Factors; STUDENT CASE STUDY PRESENTATIONS; Text Reading: Chapter 18, p. 1010-33

Week 8, Class 13 Monday July 8
International Law and Criminal Responsibility; **TREATY FOCUS: The International Criminal Court**; Case Study, The Iraqi High Tribunal; STUDENT CASE STUDY PRESENTATIONS
Text Reading: Chapter 8, p. 397- 439

Week 8, Class 14 Wednesday July 10
The International Criminal Court; Case Studies: War Crimes and Crimes Against Humanity Case Law: Rumsfeld v. Hamdan; The Geneva Convention; STUDENT CASE STUDY PRESENTATIONS; Text Reading: Chapter 8

Week 9, Class 15 Monday July 15
International Law and the Use of Force by States; The Right to Self-Defense; Case Study: Nicaragua 1986 ICJ; Case Study: United States Military Operations in Afghanistan; STUDENT CASE STUDY PRESENTATIONS; Text Reading: Chapter 20 and Journal article: *Wings Over Libya: The No-Fly Zone in Legal Perspective,* Michael N. Schmitt, The Yale Journal of International Law On-Line

Week 9, Class 16 Wednesday July 17
The Use of Force by States; the Right to Self-Defense; Case Study: Nicaragua 1986, ICJ Case Study: The United States Invokes the Right to Self –Defense in Taking Military Action in Afghanistan; the Role of the Security Council; STUDENT CASE STUDY PRESENTATIONS; Text Reading: Chapter 20
Week 10, Class 17 Monday July 22
Territory in International Law; Sovereignty in International Law; Case Study: The Tibet-China Dispute; Claims to Self-Determination; Egyptian Military Threats to Defend the Nile River; Territory and the Use of Force; Case Study: Kuwait and Iraq; Territorial Integrity and Self-Determination; STUDENT CASE STUDY PRESENTATIONS; Text Reading: Chapter 10

Week 10, Class 18 Wednesday July 24
Immunities from Jurisdiction; Diplomatic Law and The Vienna Convention on Diplomatic Relations 1961; Diplomatic Immunity; Case Study Charles Taylor, Liberia and Sierra Leone; STUDENT CASE STUDY PRESENTATIONS; Text Reading: Chapter 13, p. 735-750

Week 11, Class 19 Monday July 29
International Humanitarian Law; Case Study: International Labor Organization (ILO) STUDENT CASE STUDY PRESENTATION; Text Reading: Ch. 21;

Week 11, Class 20 Wednesday July 31
The Regional Protection of Human Rights; the European Convention on Human Rights; The Protection of National Minorities; the Banjul Charter on Human and Peoples Rights; African Case Study; the Arab Charter on Human Rights; STUDENT CASE STUDY PRESENTATIONS; Text Reading, Chapter 7

Week 12, Class 21 Wednesday August 7

Week 13, Class 22 Monday August 12
United Nations Treaty Review; Reports on Bonded Labor; STUDENT CASE STUDY PRESENTATIONS COURSE REVIEW

FINAL EXAM: Date TBA

COURSE MARKS

1. Discussion Group = 20 marks (5 marks x 4 Discussion Group Reports)
2. I.R. Quiz = 20 marks June 5th
3. Treaty Report = 20 marks June 19th
4. Student Case Study Presentation (Group of 4) = 15 marks
5. Final Exam = 25 marks
Academic Integrity

The University of Toronto treats cases of academic misconduct very seriously. Academic Integrity is a foundation of university learning and development. High academic standards reflect positively upon the student and the University. The University of Toronto’s Code of Behavior on Academic Matters outlines the conduct that constitutes academic misconduct, the process for addressing academic offences, and the penalties that may be imposed. All students are expected to be familiar with the contents of this document. All suspected cases of academic dishonesty will be reported and investigated. If a student has any questions, they are welcome to speak with the Professor or contact the Academic Success Center or utilize resources such as the U of T Writing website.

Course Assignments

Success in the course is based upon keeping up with the weekly readings, participation and the completion of course assignments and tests. You are welcome to contact me about assignments and questions at any time. Office hours are scheduled to address specific questions you may have.

1. Discussion Groups: There are 4 Discussion Groups during the course worth five marks each (20 marks total). These forums allow for student interaction and discussion on an assigned topic with a clear set of objectives to answer. The 2 page report is submitted to the Professor at the end of that day’s class. Full student participation is required.
2. Quiz: 20 marks, June 5th and covers the first 6 classes of material.
3. Treaty Report: 20 marks. Due June 19th. Analyse 1 Treaty and the record in one country of compliance with the Treaty. Factors to examine include: 1) the general situation in the country; 2) obstacles to treaty enforcement, 3) signs of progress; 4) an international human rights assessment; 5) an executive summary and policy recommendations which are the original thought/ reflection of the student.
4. Presentation: 15 marks. In groups of 4, students will conduct a 20 minute presentation to be accompanied by a 1 page typed Executive Summary that is submitted to the Professor on the day of the Presentation. Students may select their own topic or receive guidance from the Professor.
5. Final Exam: 25 marks. Covers material from Week 5 to Week 12.

*Treaty Reports are due on the date indicated. Late submissions are not accepted unless there is a valid documented reason. A paper copy of the Report must be submitted on the due date. An electronic copy may also be submitted. The paper copy is the one that will be marked and returned to the student.
*Student presentations are delivered in groups of 4. Collaboration and research are highlighted in this academic exercise. Students are expected to have good topic knowledge. Use of power point/ overhead projector is fine but should be limited.
*Student Discussion Groups are a valuable opportunity to discuss aspects of the lecture and weekly readings. They are marked assignments and part of the course curriculum. Full participation will enhance your performance in the course.

Useful Websites:

International Criminal Court: www.un.org/law/icc/
WTO: www.wto.org
ILO: http://ilo.org/
Women’s Human Rights Resources: www.law-lib.utoronto.ca/diana/

Learning Environment  The classroom learning environment is enhanced by principles of respect, tolerance and inclusiveness. Respect is also demonstrated by refraining from cell phone use in class, internet use except for classroom learning and talking during the lecture.

A positive learning environment is emphasized that is inclusive and respectful. Students are encouraged to contribute to class discussion forums and question sessions. Your ideas and questions are welcome. Please share any class matters or questions you may have via email or scheduled office hours.
Thank You.