The University of Oklahoma
College of Continuing Education
Advanced Programs – Course Syllabus

Course Title:
Topics in International Studies: International Law

Course Number:
IAS 5940-102

Course Description:
This course is an advanced graduate survey on the subject of Public International Law. It focuses both on classical topics of International Law such as subjects and sources of International Law, law of treaties, state jurisdiction and responsibility. In addition to this, we will discuss contemporary issues of International Law including the protection of individuals under International Law and the repression of international crimes. This course is designed to provide students with a broad understanding of International Law and the role it plays in international relations.

Class Dates, Location and Hours:
Dates: April 28-May 4, 2014
Hours: Mon - Fri 6:00 p.m. - 9:30 p.m.; Sat 8:00 a.m. - 4:30 p.m.; Sun 8:00 a.m. - 12:00 p.m.
Last day to enroll or drop without penalty: March 30, 2014

Site Director:
Christopher Della Valle. Assistant: Sasha Ramdeen. 2189 Crystal Plaza Arcade, Arlington, VA, 22202.
Phone: 703-418-4800; Fax: 703-418-2730; E-mail: apwashington@ou.edu

Professor Contact Information:
Course Professor: Giovanna Gismondi
Mailing Address: School of International Area Studies
729 Elm Avenue, Room 124
Norman, OK 73019
Telephone Number: 405-325-4546
Fax Number: 405-325-7738
E-mail Address: ggismondi@ou.edu
Professor availability: The professor will be available via e-mail to students before and after the class sessions. On-site office hours are half an hour before and after each class session, by appointment.

Textbook(s) and Instructional Materials:
Student materials are available at the OU Follett Bookstore located at 1185 Asp Avenue; Norman, OK. Orders can be placed online at www.oklahoma.bkstr.com. Faxed orders may be placed 24 hours a day at (405) 325-7770. Representatives are available by phone at (405) 325-3511 or (800) 522-0772 (toll-free) or E-mail at 0831mgr@fhg.follett.com from 8 a.m. to 6 p.m. Monday through Thursday; 8 a.m. to 5 p.m. on Friday; and 10 a.m. to 4 p.m. on Saturday (CST). Summer hours: 9 a.m. to 5 p.m. Monday through Friday (CST). (Text prices are available online.)

2. Materials posted on the OU Desire to Learn (D2L) system: Access D2L at http://learn.ou.edu; enter your OU NetID (4+4) and password, and select course to access material. Please contact your local Site Director if you require assistance.

Note: Follett is the Advanced Programs contractual textbook provider. Should text changes become necessary after publication of the course syllabus, Advanced Programs will facilitate text returns/refunds only for texts purchased through Follett.

Course Objectives:
This course is designed to provide students with a broad understanding of International Law and the role that the law plays in shaping the states’ behavior and their relationship with other International Law actors.

Course Outline:
1. Origins and Foundations of the International Community
2. International Law and Municipal Law
3. Subjects of the International Community
4. State Succession
5. Liability of States for acts of Individuals
6. Immunity of the State and its Agents
7. International Law and the use of force by states
8. Customary International Law v. Treaties
9. The Repression of International Crimes

Class Schedule:

April 28, 2014
- Cassese Chapter 1: Main Legal Features of the International Community
- Cassese Chapter 3: The Fundamental Principles Governing International Relations.
  - The Sovereign Equality of States, pgs. 46-53
  - Non-Intervention in the Internal or External Affairs of other States, pgs. 53-55
  - Prohibition of the Threat or Use of Force, pgs. 55-57
  - Peaceful Settlement of Disputes, pgs. 58-59
  - Self-determination of Peoples, pgs. 60-64

April 29, 2014
- Cassese Chapter 3 (continued): The Fundamental principles governing International Relations
  - Case: U.S. v. Columba-Collela (Passive Personality)
  - Case: U.S. v. Romeo Galue (Protective Principle)
  - Case: U.S. v. Alvarez-Machain (Jurisdiction to Enforce)
  - Case: Nicaragua v. United States of America (Case Concerning the Military and Paramilitary Activities in and against Nicaragua)
- Cassese Chapter 4: States as the Primary Subjects of International Law

April 30, 2014
- Cassese, Chapter 5: The Spatial Dimension of State activities.

May 1, 2014
- Cassese Chapter 6: Limitations on States’ Sovereignty: Immunities and Treatment of Individuals.
  - Introduction, pg. 98
  - Immunity of Foreign States from Courts’ Jurisdiction, pgs. 99-101, 105-110
  - Immunities of Organs of Foreign States, pgs. 110-113
  - Immunity of Diplomatic & Consular Agents, pages 115-116
  - Immunities of Heads of State and Government, pgs. 117-118
May 2, 2014

- Cassese, Chapter 7: Other International Legal Subjects.
  - International Organizations, pgs. 135-140
  - The Individual, pgs. 142-150
    - Case: Bankovic and Others v. Belgium and Others, European Ct. H.R.
    - Case: Saldia de Lopez v. Uruguay, Human Rights Committee
    - Case: Soering v. UK, European Court on Human rights

May 3, 2014

- Creation and Implementation of International Legal Standards
- Cassese Chapter 8: International Law-Making: Customs.
  - Case: The Paquete Habana & The Lola
  - Case: ICJ Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons
- Cassese Chapter 9: Treaties
  - Domingues v Nevada (Reservation)
  - Breard v. Greene (Treaty – Federal Law conflict)
- Review Session

May 4, 2014

- In-class Final Exam

Assignments, Grading & Due Dates:

Summary Reports:
Summary Reports count for 40% of your final grade. There will be 4 summary reports covering 15 cases that will be assigned throughout the course. The cases for summary reports will be available on learn.ou.edu a month before classes begin. In the reports, students need to summarize the case and demonstrate understanding of the material prior to the discussion in class. There is no length limit; however, summaries must include the facts of the case, the relevant law, and final decisions of the Court. Personal opinions about the subject are welcome. There is an example of a well-written summary report on learn. I advise you to post your summary reports as early as you can. Take into consideration that some cases are lengthy and time consuming. These reports can be posted at any time, as long as they are posted by the due date.

Each summary report needs to be posted on learn.ou.edu in the drop according to the schedule shown below. I will not accept hard copies. If you experience problems posting your report on learn.ou.edu, e-mail it to me by the due date. Late summary reports will not be accepted.

<table>
<thead>
<tr>
<th>Summary Report</th>
<th>Cases</th>
<th>Due Date</th>
</tr>
</thead>
</table>
| 1              | US v. Columba-Collela (Passive Personality)  
US v. Romeo Gaulke (Protective Principle)  
US v. Alvarez-Machain (Jurisdiction to Enforce)  
Nicaragua v. United States of America (Case Concerning the Military and Paramilitary Activities in and Against Nicaragua) | April 28 |
<table>
<thead>
<tr>
<th>Summary Report</th>
<th>Cases</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td><strong>Cases</strong>&lt;br&gt;U.S. v. Noriega (Head of State Immunity)&lt;br&gt;Democratic Republic of the Congo v. Belgium (Case Concerning the Arrest Warrant)&lt;br&gt;Mexico v. United States (Avena and other Mexican Nationals)</td>
<td>April 28</td>
</tr>
<tr>
<td>3</td>
<td><strong>Cases</strong>&lt;br&gt;Bankovic and Others v. Belgium and Others, European Ct. H.R. (Extraterritoriality of Human Rights Treaties)&lt;br&gt;Saldia de Lopez v. Uruguay, Human Rights Committee (Abduction)&lt;br&gt;Soering v. UK, European Court on Human Rights (Capital Punishment)</td>
<td>May 1</td>
</tr>
<tr>
<td>4</td>
<td><strong>Cases</strong>&lt;br&gt;The Paquete Habana &amp; The Lola&lt;br&gt;ICJ Advisory Opinion on the Legality of the threat or Use of Nuclear Weapons&lt;br&gt;Domingues v. Nevada (Case on Reservations)&lt;br&gt;Breard v. Greene (on Prevalence of Federal Law)</td>
<td>May 1</td>
</tr>
</tbody>
</table>

**Final Exam:**

There will be one examination, which counts for 50% of your final grade. The final exam will be an open-book exam held on the last day of class. It will cover the entire course material. The exam will include hypothetical cases, short essay questions and/or multiple choice questions. Missing the final exam will be equivalent to failing the course.

**Participation:**

Class participation will count for 10% of your final grade. This course requires class participation. I will adjust final grades for students who have actively participated in class discussion and who have demonstrated knowledge of the required material.

**Document Supplement:**

I have compiled a packet to be used in class, which contains relevant treaties to class discussion. All supplemental in-class materials will be posted at learn.ou.edu. **Be sure to print the packet and have it in class with you each day, as we will reference it regularly.**

**Grading:**

This is a letter-graded course: A, B, C, D, or F. Grading Scale: 90 to 100% guarantees an A; 75% to 89% is a B; 60% to 74% is a C; 40% to 59% D; below 40% is an F.

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Due Date</th>
<th>Percentage of Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summary Reports</td>
<td>See Summary Report Table Above</td>
<td>40</td>
</tr>
<tr>
<td>Class Participation</td>
<td>Not Applicable</td>
<td>10</td>
</tr>
<tr>
<td>In Class Final Exam</td>
<td>May 4, 2014</td>
<td>50</td>
</tr>
</tbody>
</table>

**Notice:** Failure to meet assignment due dates could result in a grade of I (Incomplete) and may adversely impact Tuition Assistance and/or Financial Aid.
POLICIES AND NOTICES

Attendance/Grade Policy

Attendance and participation in interaction, individual assignments, group exercises, simulations, role playing, etc. are valuable aspects of any course because much of the learning comes from discussions in class with other students. It is expected that you attend all classes and be on time except for excused emergencies.

Excused absences are given for professor mandated activities or legally required activities such as emergencies or military assignments. It is the policy of the University to excuse absences of students that result from religious observances and to provide without penalty for the rescheduling of examinations and additional required class work that may fall on religious holidays. Unavoidable personal emergencies, including (but not limited to) serious illness; delays in getting to class because of accidents, etc.; deaths and funerals, and hazardous road conditions will be excused.

If you are obtaining financial assistance (TA, STAP, FA, VA, Scholarship, etc.) to pay all or part of your tuition cost, you must follow your funding agency/institution’s policy regarding “I” (Incomplete) grades unless the timeline is longer than what the University policy allows then you must adhere to the University policy. Students who receive Financial Aid must resolve/complete any “I” (Incomplete) grades by the end of the term or he/she may be placed on “financial aid probation.” If the “I” grade is not resolved/completed by the end of the following term, the student’s Financial Aid may be suspended make the student ineligible for further Financial Aid.

Students are responsible for meeting the guidelines of Tuition Assistance and Veterans Assistance. See the education counselor at your local education center for a complete description of your TA or VA requirements.

Academic Honesty

Honesty is a fundamental precept in all academic activities and … [you] have a special obligation to observe the highest standards of honesty. Academic misconduct in any form is inimical to the purposes and functions of the University and is therefore unacceptable and is rigorously proscribed. Academic misconduct includes:

- cheating (using unauthorized materials, information, or study aids in any academic exercise), plagiarism, falsification of records, unauthorized possession of examinations, intimidation, and any and all other actions that may improperly affect the evaluation of a student’s academic performance or achievement; assisting others in any such act; or attempting to engage in such acts.

All acts of academic misconduct will be reported and adjudicated as prescribed by the student code of the University of Oklahoma. All students should review the Student’s Guide to Academic Integrity

Accommodation Statement

The University of Oklahoma is committed to making its activities as accessible as possible. For accommodations on the basis of disability, please contact your local OU Site Director.

Course Policies

Advanced Programs policy is to order books in paperback if available. Courses, dates, and professors are subject to change. Please check with your OU Site Director. Students should retain a copy of any assignments that are mailed to the professor for the course. Advanced Programs does not provide duplicating services or office supplies.

Copyright

Any and all course materials, syllabus, lessons, lectures, etc. are the property of professor teaching the course and the Board of Regents of the University of Oklahoma and are protected under applicable copyright.

For more information about Advanced Programs, visit our website at: http://www.goou.ou.edu/
INSTRUCTOR VITA
Giovanna Gismondi

Education
• 2001 Master’s in International Law (LL.M), Georgetown University, USA
• 1994 Law degree, Universidad de Lima, Perú

Additional Academic Training
• 2011 The International Institute of Human Rights, Strasbourg, France
• 2010 Hague Academy of International Law, The Hague, Netherlands
• 2009 The International Association for Humanitarian Policy and Conflict Research (HPCR International) Harvard University; Cambridge, USA

Current Positions
• University of Oklahoma
• Lecturer, School of International and Area Studies (SIAS)
• Adjunct Professor, College of Law.

Frequently Taught Advanced Programs Courses
International Law

Major Areas of Teaching and Research Interest
• International Law,
• International Human Rights,
• International Humanitarian Law,
• Comparative Law.

Representative Publications and Presentations
Papers:

Presentations:
• “Human rights and recent developments of Protection under International Law”. 2009 Oklahoma Statewide Conference. Amnesty International USA, Oklahoma, April 4, 2009

Major Professional Affiliations
• Member of the International Law Association. (ILA) (American Branch)
• Member of the Lima Bar Association, Lima, Peru.