Course Title: Topics in International Studies: International Law

Course Number: IAS 5940-224

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: February 20 – March 4, 2012. This is a three-credit hour online course.
Last day to enroll or drop without penalty: January 22, 2012

Site Director:
Laura Kenning. Phone: 44-1638-52-6186; DSN 226-6186; Fax: 44-1638-532827; E-mail: aplakenheath@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 during business hours to answer any questions via email and telephone.

Textbook(s) and Instructional Materials:
Student materials are available at the Follett/AP Bookstore located in the Oklahoma Memorial Union, 900 Asp Ave., Norman, OK. Orders can be placed online at www.oklahomaunion.bkstr.com or by telephone at 866-369-9713 (toll free in the U.S.) or 405-325-5960 (outside the U.S.). E-mail orders may be sent to oklahomaunion@bkstr.com. Representatives are available from 8 a.m. to 6 p.m. CST Monday through Thursday and 8 a.m. to 5 p.m. CST on Friday. Summer hours: 8 a.m. to 4 p.m. CST. Faxed orders may be placed 24 hours a day to 866-223-5607 (toll free in the U.S.) or 405-325-1557 (outside the U.S.).


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: The Follett/AP Bookstore 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 the Follett/AP Bookstore.

Course Objectives:
The 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.

OU E-Mail:
All official correspondence from distance learning instructors will be sent only to students’ ou.edu address.

Online Learning Resource Center:
The Online Learning Resource Center of the University of Oklahoma’s College of Arts and Sciences Online Program is here to serve you and assist you with any questions, problems, or concerns you may have. For assistance go to [http://casweb.ou.edu/olr/](http://casweb.ou.edu/olr/) or contact us by telephone at: (405) 325-5854 or Email: casonline@ou.edu

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 Protection of Human Rights
8. Sources of International Law: Customary International Law v. Treaties
9. The repression of International Crimes

Assignments, Grading and Due Dates:
This class is divided into readings from the Cassese textbook, summary reports, and power points. I advise students to begin reading the Cassese book well in advance and contact me if you have any questions. Below is the schedule to follow. D2L is now available to use.

Please refer to the power points as you complete the reading assignments from the Cassese textbook. All of the power points for this course are available on D2L, which summarize and clarify the readings. In addition, there are cases that complement the textbook that should be read, summarized, and posted as summary reports. There are further instructions below.

Monday, February 20 and Tuesday, February 21:
- Origins and foundations of the International Community
- Main legal features of the International Community, Cassese Ch. 1
- The fundamental principles governing International Relations, Cassese Ch. 3
  - 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

Wednesday, February 22:
- The fundamental principles governing International Relations, Cassese Ch. 3 (continued)
  - Case: U.S. vs. Columba-Collela (Passive Personality)
Case: U.S. vs. Romeo Galue (Protective Principle)
Case: U.S. vs. Alvarez-Machain (Jurisdiction to Enforce)
Case: Case Concerning the Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)

- Subjects of the International Community
- States as the Primary Subjects of international law, Cassese Ch. 4
- The Spatial Dimension of state activities, Cassese Ch. 5

Thursday, February 23 and Friday, February 24:
- The Spatial Dimension of state activities, Cassese Ch. 5 (continued)
- Limitations on States’ Sovereignty: Immunities and Treatment of Individuals, Cassese Ch. 6
  - 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, pgs 115-116
  - Immunities of Heads of States and Government, pgs. 117-118
  - Duration of Privileges and Immunities, pgs. 118-119
  - Personal Immunities and International Crimes, pgs. 119-120
    - Case: Alejandre vs. Republic of Cuba (Terrorist Act)
    - Case: Avena and other Mexican Nationals (Mexico vs. United States)
    - Case: U.S. vs. Noriega (Head of State Immunity)
    - Case: Case Concerning the Arrest Warrant (Democratic Republic of the Congo v Belgium)

Monday, February 27 and Tuesday, February 28:
- Other International Legal Subjects, Cassese Ch. 7
  - International Organizations, pgs. 135-140
  - The individual, pgs. 142-150
    - Case: Bankovic and Others v. Belgium and Others, European Ct. H.R.
    - Case: Isa and others v. Turkey, European Ct on H.R.
    - Case: Al-Skeini v. Secretary of State for Defence (Decision of the House of the Lord)
    - Case: Saldia de Lopez v. Uruguay, Human Rights Committee

Wednesday, February 29 and Thursday, March 1:
- Creation and Implementation of International Legal Standards
- International Law-Making: Customs, Cassese, Ch. 8
  - Case: The Paquete Habana & The Lola
  - Case: Filartiga vs. Peña-Irala
- Treaties, Cassese, Ch. 9
  - Case: Domingues vs. Nevada (Case on Reservations)
- The repression of International Crimes, Cassese, Ch 21
  - Case: Bosnia and Herzegovina v. Serbia and Montenegro, ICJ judgment of 2007

Sunday, March 4:
- ONLINE FINAL EXAM

Summary Reports:
Summary reports count for 50% of your final grade. There will be 6 summary reports covering 16 cases that will be assigned throughout the course. The cases for summary reports are currently available on learn.ou.edu. In the reports, students need to summarize the case and demonstrate understanding of the material. There is no length limit. 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.

Additionally, each summary report needs to be posted on learn.ou.edu in the dropbox according to the schedule shown below. 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>
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<tbody>
<tr>
<td>1</td>
<td>• US v. Columba-Collela (Passive Personality)</td>
<td>Friday, February 25</td>
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<td>• US v. Romeo Galue (Protective Principle)</td>
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<td>• US v. Alvarez-Machain (Jurisdiction to Enforce)</td>
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<td>2</td>
<td>• Case Concerning the Military and Paramilitary Activities in and</td>
<td>Friday, February 25</td>
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<td>Against Nicaragua (Nicaragua v. United States of America)</td>
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<td>3</td>
<td>• Alejandro v. Republic of Cuba (Foreign Sovereign Immunity Act)</td>
<td>Friday, February 25</td>
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<td>Congo v. Belgium)</td>
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<td>4</td>
<td>• Bankovic and Others v. Belgium and Others, European Ct. H.R.</td>
<td>Friday, March 2</td>
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<td>• Isa and others v. Turkey, European Ct on H.R.</td>
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<td>5</td>
<td>• The Paquete Habana &amp; The Lola</td>
<td>Friday, March 2</td>
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<td>6</td>
<td>• Bosnia and Herzegovina v. Serbia and Montenegro, ICJ judgment of</td>
<td>Friday, March 2</td>
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<td>2007 (on Genocide)</td>
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**Final Exam:**

There will be one examination, which counts for 50% of your final grade. The final exam will be held online Sunday, March 4, 2012 from 9 a.m. to 11 a.m. It is a timed test, and you will have only two hours to complete the exam. It is open-note and open-book, meaning that you may use these materials to help you answer the questions. You should still prepare for the test in advance, and use your time wisely as, again, you will only have 2 HOURS to finish. The exam will cover the entire course material. It will include hypothetical cases, short essay questions and/or multiple choice questions. Missing the final exam will be equivalent to failing the course.

**Document Supplement:**

I have compiled a packet to be used with the power points, which contains relevant treaties. **Be sure to reference this packet regularly while you are completing the assigned reading.**

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.

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<thead>
<tr>
<th>Assignment</th>
<th>Due Date</th>
<th>Percentage of Grade</th>
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<tbody>
<tr>
<td>Online Final Exam</td>
<td>Sunday, March 4, 2012</td>
<td>50%</td>
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<tr>
<td>Summary Reports</td>
<td>See schedule</td>
<td>50%</td>
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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.

Attendance Policy:
In addition to interaction via Desire2Learn and E-mail contact, students are required to contact the instructor via E-mail or telephone BEFORE the beginning of the course term for an initial briefing. Although physical class meetings are not part of this course, participation in all interactive, learning activities is required.

Student assignments and student/instructor communications will be conducted via Desire2Learn, although students may contact the instructor via telephone, postal mail, e-mail, or fax as needed.

Incomplete Grade Policy:
A grade of “I” is not automatically assigned, but rather must be requested by the student by submitting to the instructor a “Petition for and Work to Remove an Incompleted Grade” form. An “I” can never be used in lieu of an “F” nor can an “I” be assigned because of excessive failure to participate in class activities.

Technical Support Information:
If you experience technical problems, contact Information Technology by visiting their website at: http://webapps.ou.edu/it/ or contacting them by telephone at: (405) 325-HELP (4357).

Procedures for Completion of Course Evaluation:
Upon completion of the course students should go to the Advanced Programs Distance Learning webpage, http://www.goou.ou.edu/distance_learn.html. Students should click on the applicable semester link under “Course Evaluations” which will direct them to the evaluation. The evaluation will take approximately five minutes to complete. Completion of the online evaluation is an important tool allowing Advanced Programs to gain information and student feedback for improvement of courses.

Your responses will be kept confidential. They will be reviewed by the department and only supplied to the professor once grades for the course have been submitted.

Important information you should know about online courses:

- To sign on to Desire2Learn (D2L), log in using your 4+4 and your OU network password (note that this is the same 4+4 and password that you use to access your OU email). Once you are logged in, please look for “My Courses,” locate your course and click on it. Remember to check your course site on D2L every day.

- Students enrolled in online courses may be required to take the CAS student orientation in Desire 2 Learn. To take the orientation, sign-on to D2L and then click on “Self Registration” at the top left corner of the page. Information about and instructions for the orientation can be found at http://casweb.ou.edu/olr/public/students/orientation.htm

- Course Materials are available at Follett/AP Bookstore. On this syllabus you will find a link to the Follett Bookstore.

- If you need to drop or withdraw from a course, please contact your Site Director. You can drop a course without a penalty up to the add/drop date. You can drop a course after the add/drop date through the first day of class with a penalty. There will be a 25% penalty if you drop 16-29 days before the start of class, 50% penalty if you drop between 15 days before and the start of the class, or 100% penalty if you drop on the first day of class or later.

- After the class has started, you can only withdraw from the course with the professor’s permission; you will not receive a refund for your tuition. You can only drop without a penalty after the add/drop date by providing proper documentation and receiving approval from the Advanced Programs Theater Director. Provide this documentation to your Site Director.
POLICIES AND NOTICES

Attendance/Grade Policy

Note: Attendance/absences do not apply to online courses. However, participation in all course activities is extremely important to student success in online courses.

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. 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” found at http://www.ou.edu/provost/integrity

Accommodation Statement

The College of Continuing Education [Advanced Programs] is committed to making its activities as accessible as possible. For accommodations on the basis of disability, please contact your 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.

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 Law (LL.M), Georgetown University, USA
- 1994 Law degree, Universidad de Lima, Perú

Additional Academic Training

- 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:


Major Professional Affiliations

- Member of the International Law Association. (ILA) (American Branch)
- Member of the Lima Bar Association, Lima, Peru.