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

Course Title:  
Topics in International Studies: International Law

Course Number:  
IAS 5940-107

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: September 10-16, 2012  
Location: Hurlburt Field, Florida. Class will be held in Bldg. 90220, 221 Lukasik Ave.  
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: August 12, 2012

This military installation is not open to the general public. In order to take courses at this installation, students must have a current military or Department of Defense identification card which allows them to access the installation.

Site Director:  
Kelly Gaskell. Assistant: Javier Ruiz. Phone: 850-581-3000; Fax: 850-581-3004; E-mail: aphurlburt@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 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 405-325-7140 (outside the U.S.).

2. Materials posted on the OU Desire to Learn (D2L) system: Access D2L at [http://learn.ou.edu](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:**

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

**Assignments, Grading and Due Dates:**

**Class Schedule:**

**Monday, September 10th**

- Cassese Chapter 1: Main Legal Features of the International Community pgs. 4-21
- 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

**Tuesday, September 11th:**

- 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, Cassese Ch. 4
- Cassese Chapter 5: The Spatial Dimension of state activities, Cassese Ch. 5

**Wednesday, September 12th:**

- Cassese Chapter 5 (continued): The Spatial Dimension of State activities
- 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, pgs. 115-116
Thursday, September 13th:
- Cassese Chapter 7: Other International Legal Subjects.
  - International Organizations, pgs. 135-140
  - The Individual, pgs. 142-150
    - Casel: Bankovic and Others v. Belgium and Others, European Ct. H.R.
    - Case: Isa and Others v. Turkey, European Ct on H.R.
    - Case: Saldia de Lopez v. Uruguay, Human Rights Committee
    - Case: Soering v UK, European Court on Human Rights

Friday, September 14th:
- Creation and Implementation of International Legal Standards
  - Cassese, Chapter 8: International Law-Making: Custom
    - Case: The Paquete Habana & The Lola
    - Case: Filartiga v. Peña-Irala
- Cassese Chapter 9: Treaties
  - Domingues v Nevada (Reservation)
  - Breard v. Greene (Treaty – Federal Law conflict)

Saturday, September 15th:
- Cassese Chapter 21: The Repression of International Crimes
  - Case: Bosnia and Herzegovina v. Serbia and Montenegro, ICJ judgment of 2007
- Review Session

Sunday, September 16th:
- In-Class Final Exam

Summary Reports:
Summary Reports count for 40% of your final grade. There will be 4 summary reports covering 17 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>
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<tbody>
<tr>
<td>1</td>
<td>US v. Columba-Collela (Passive Personality)</td>
<td>By Monday, September 10</td>
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<td>US v. Romeo Galue (Protective Principle)</td>
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<td>Nicaragua v. United States of America (Case Concerning the Military and Paramilitary Activities in and Against Nicaragua)</td>
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<td>2</td>
<td>Alejandro v. Republic of Cuba (Foreign Sovereign Immunity Act)</td>
<td>By Monday, September 10</td>
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<td>Mexico v. United States (Avena and other Mexican Nationals)</td>
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<td>U.S. v. Noriega (Head of State Immunity)</td>
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<td>Democratic Republic of the Congo v. Belgium (Case Concerning the Arrest Warrant)</td>
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<td>3</td>
<td>Bankovic and Others v. Belgium and Others, European Ct. H.R.</td>
<td>By Wednesday, September 12</td>
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<td>Breard v. Greene</td>
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<td></td>
<td>Bosnia and Herzegovina v. Serbia and Montenegro, ICJ judgment of 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 an open-book exam held on **Sunday, September 16, 2012**. 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>
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<tr>
<th>Assignment</th>
<th>Due Date</th>
<th>Percentage of Grade</th>
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<tbody>
<tr>
<td>In Class Final Exam</td>
<td>Sunday, September 16, 2012</td>
<td>50</td>
</tr>
<tr>
<td>Summary Reports</td>
<td>See class schedule</td>
<td>40</td>
</tr>
<tr>
<td>Class Participation</td>
<td>Not Applicable</td>
<td>10</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.
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. 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. 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 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
  o Lecturer, College of International and Area Studies (CIS)
  o 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.