Public International Law Fall 2020


Law review articles may be found on the Westlaw database available through the library. Chapters from books in addition to the main text are available on CANVAS, as are other materials.

Please read the materials assigned for each class so we can have a discussion on Zoom! Digital Education requires preparation and participation by all the students!

You may begin selecting a topic for your paper. Please read cases from the international tribunals, press releases and resolutions from the UN and Regional Organizations, blog posts, journal articles (European Journal of International Law, American Journal of International Law, Asian Journal of International Law, etc.), and research articles on Westlaw to explore possible topics. Your paper may be theoretical, empirical, or normative.

Institutional Resources:

ICJ  https://www.icj-cij.org/en
UN Security Council  https://www.un.org/securitycouncil/
UN General Assembly: https://www.un.org/en/ga/
UN Secretary-General: https://www.un.org/sg/en
WHO: https://www.who.int/  WTO: https://www.wto.org/
International Tribunal for Law of the Sea: https://www.itlos.org/
Permanent Court of Arbitration: https://pca-cpa.org/en/home/
Arctic Council: https://arctic-council.org/en/
South Centre: https://www.southcentre.int/
G77 : https://www.g77.org/
The Shanghai Cooperation Organization: http://eng.sectsco.org/
The African Union: https://au.int/
ASEAN: https://asean.org/
The European Union: https://europa.eu/european-union/index_en
Organization of Islamic Cooperation: https://www.oic-oci.org/home/?lan=en
The League of Arab States: http://www.leagueofarabstates.net/ar/Pages/default.aspx

Web sources and Blogs:
The Max Planck Encyclopedia of Public International Law: https://opil.ouplaw.com/home/MPIL
Völkerrechttsblog: https://voelkerrechtsblog.org/
EJILTalk! https://www.ejiltalk.org/,
Opinio Juris http://opiniojuris.org/,
Third World Approaches to International Law Review: https://twailr.com/
Lawfare http://lawfareblog.com/,
Just Security https://www.justsecurity.org/,
IntlLawGrrls2 https://ilg2.org/,
ASIL Insights: https://www.asil.org/insights,
UN video lectures on international law: http://legal.un.org/avl/is/lectures.html

Mon. 24 August 14:15-16:00 “Post-Western International Law”

The Globalization of World Politics: an Introduction to International Relations (2017). Oxford University Press,

UN Charter 75th Anniversary: https://www.aljazeera.com/news/2020/06/anniversary-75-years-charter-signed-200626181712727.html

Declaration by Russia and China on the Promotion of International Law: http://www.mid.ru/en/foreign_policy/position_word_order/-/asset_publisher/6S4RuXfeYlKr/content/id/2331698

Group of 77 Ministerial Declaration 2019: https://www.g77.org/doc/Declaration2019.htm


Authoritarian International Law, Tom Ginsburg *American Journal of International Law* April 2020

The End of 'The West' and the Future of Global Constitutionalism. Kumm, Mattias; Havercroft, Jonathan ; Dunoff, Jeffrey ; Wiener, Antje, *Global Constitutionalism*, 6(1)

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**Mon. 31 August 14:15-16:00** Third World Approaches to International Law and Feminist International Law

**Reading:** Textbook, Bianchi, Chapters X and XI

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**Mon. 7 September 14:15-16:00** Evolving Sources of Law-Treaties, Custom, and Soft Law

**Reading:** Textbook, Evans, Chapter 4-6


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**Mon. 14 September 14:15-16:00** Statehood and Self-Determination

**Reading Textbook** Evans, Chapter 7

Kashmir: [https://thediplomat.com/2019/11/kashmir-the-key-to-a-grand-bargain/](https://thediplomat.com/2019/11/kashmir-the-key-to-a-grand-bargain/)

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**Mon. 21 September** International Organizations in Decline: The Example of the WTO, Guest Lecture by Ole Kristian Fauchald

**Readings:** Three Chapters from Lewis, M.K., Nakagawa, J., Neuwirth, R.J., Picker, C.B., Stoll, P.-T. (Eds.) *A Post-WTO International Legal Order: Utopian, Dystopian and Other Scenarios* (Springer 2020)

Elisa Baroncini, *The EU Approach to Overcome the WTO Dispute Settlement Vacuum: Article 25 DSU Interim Appeal Arbitration as a Bridge Between Renovation and Innovation*
Gabriel Gari, Narrowed Down Utopia: Adjusting the WTO to a Changing Trade Environment

Tomohiko Kobayashi and Yuka Fukunaga, Like a Rolling Stone: Exploring Viable Options for the WTO Dispute Settlement Mechanism to Evolve Forward in the Post-WTO Era

5 October 14:15-16:00 METOO! In International Law Evolving Subjects of International Law and Accountability-States, IOs, NGOs, Individuals

Reading, Textbook Evans, Chapters 8-9 and 14

Resources:


https://www.theguardian.com/global-development/2016/dec/01/haiti-cholera-outbreak-stain-on-reputation-un-says

https://blogs.lse.ac.uk/politicsandpolicy/how-is-oxfam-being-held-accountable-over-the-haiti-scandal/

Mon. 12 October 14:15-16:00 Systemic Racism and the Impact of George Floyd on International Law

UN Convention on the Elimination of Racial Discrimination: http://hrlibrary.umn.edu/instree/d1cerd.htm


Mon. 19 October 14:15-16:00  Peaceful Dispute Resolution
Reading Textbook Evans, Chapter 18

ICJ Case Bolivia v. Chile 1 October 2018 judgment:
https://undocs.org/en/A/HRC/44/L.11  dissenting opinion by Judge Robinson:

Mon. 26, October 14:15-16:00  Arctic Environment & Shipping, Guest Lecture by Alla Pozdnakova
Reading: Alexander Proelss*/Till Müller*The Legal Regime of the Arctic Ocean ZaöRV 68 (2008), 651-687


Regulating Shipping in the Arctic Ocean: An Analysis of State Practice/Hartmann (2018)

Additional/recommended reading:


https://heinonline-org.ezproxy.uio.no/HOL/Page?collection=journals&handle=hein.journals/waik19&id=129&men_tab=srcresults

How international law has influenced the national policy and law related to indigenous people in the Arctic/Koivurova, Stepien


https://journals-sagepub-com.ezproxy.uio.no/doi/pdf/10.1177/0047117820920915  How much is the fish? When foreign policy meets fishing interests in the EU’s Arctic endeavour /Raspotnik, Østhagen
Mon. 2 November 14:15-16:00  The Responsibility to Protect

Reading Textbook Evans, Chapter 16


Mon. 9 November 14:15-16:00  The Use of Force

Reading: Textbook Evans, Chapter 20

Resources:


1970 Declaration on Friendly Relations Between States http://un-documents.net/a25r2625.htmA.


Cases:


UNSC Authorizations:


Liberia: https://www.securitycouncilreport.org/atf/cf/%7b65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7d/Liberia%20SRes1497.pdf

Group Work:

Discuss to what extent intervention or non-intervention was lawful according to one or more of the following justifications:

1) Anticipatory self-defense
2) Responsibility to protect (R2P)
3) The unwilling or unable test

Kosovo Darfur Libya Cote d Ivoire South Sudan CAR Mali DRC Myanmar Syria Yemen Afghanistan Iran Venezuela Nicaragua