

PLS354 INTRODUCTION TO INTERNATIONAL LAW

Fall 2023

Instructor: Dr. Alexei Trochev (atrochev@nu.edu.kz)

Class meets: Monday, Wednesday, and Friday 10:00–10:50 in Room 8308

Office Hours: 14:45 – 17:15 Monday & Wednesday or by appointment

Office: Room 8418

Overview

This survey course focuses on interactions among the primary entities in the international system, namely, states, transnational/international actors, and inter-governmental and non-governmental organizations as governed by international law. Studying international relations and international law is critical to understanding domestic and foreign contemporary politics. We will focus on both procedural and substantive sides of public international law.

We will learn about the international legal process, actors, norms, and issues, which are 1) implicated in the regulation of cross-border activity, and 2) directly effected by decisions and events that occur or have effects beyond national orders. As we shall see, “inter-national” law that has traditionally been understood as the law governing relations among states, is increasingly dynamic system that 1) allows non-state actors to participate in all stages of the international legal process, and to acquire status, rights and obligations under international law; 2) expands the range of substantive legal fields that in the not-too-distant past were deemed to be part and parcel of the domestic jurisdiction and internal affairs of states such as human rights, protection of the environment, trade and monetary policies, labor law, and criminal law; and 3) changes regulation of some of the more “traditional” areas of international law, such as those pertaining to territory and borders, use of force and state responsibility.

We will also learn substantive issues of international law, such as war, terrorism, development, environment, and peace, and Kazakhstan’s position on these issues. Finally, this course introduces the history of international law as one means of approaching and understanding international law in the contemporary world.

Course Aims

1. To introduce students to the important doctrines, functions and processes of international law.
2. To help students understand the legal and political aspects of international decisions and events.
3. To develop critical and analytical skills needed for building basic arguments in the current debates about the role and scope of international law.

Course Learning Outcomes

By the end of this course, students are expected to:

1. Demonstrate knowledge and understanding of international law, its rules and processes, and the way in which they relate to each other
2. Provide a clear explanation of the different sources of international law and the various means of resolving international legal disputes.
3. Explain why different legal structures best address different types of international problems and how this accounts for variation in the shape of international law across issue areas.
4. Critically evaluate international law's role and scope within contemporary debates and current events.

Nazarbayev University Graduate Attributes

By taking this course, students will have an opportunity to develop the NU Graduate Attributes:

Course Learning Outcome #	Program Learning Outcomes to which CLOs are linked	NU Graduate Attributes to which CLOs are linked
1,2	Knowledge: Students will demonstrate knowledge of the discipline of political science and its subfields in terms of content, purpose and methods. (PLO 1)	Possess an in-depth and sophisticated understanding of their domain of study
3,4	Political Analysis: Students will develop the ability to apply their knowledge of the Political Science to analyze domestic and	Be intellectually agile, curious, creative and open-minded

	international socio-political issues. (PLO 4)	
2,3,4	Critical thinking and information literacy: Students will develop the ability to apply, synthesize, and analyze materials (e.g., data or texts) and to think critically. (PLO 2)	Be thoughtful decision makers who know how to involve others
3,4	Political Analysis: Students will develop the ability to apply their knowledge of the Political Science to analyze domestic and international socio-political issues. (PLO 4)	Be entrepreneurial, self-propelling and able to create new opportunities
2,3,4	Communication Skills: Majors will demonstrate the necessary oral and written skills to convey their knowledge about political science to others. (PLO 3)	Be fluent and nuanced communicators across languages and cultures
2,3,4	Tolerance: Students will be able to listen to and be tolerant to different ideas. (PLO 5)	Be cultured and tolerant citizens of the world
2,3,4	Critical thinking and information literacy: Students will develop the ability to apply, synthesize, and analyze materials (e.g., data or texts) and to think critically. (PLO 2)	Demonstrate high personal integrity
2,3,4	Civic Virtues: To provide opportunities to students to link theory and practice and to apply political science knowledge and skills to actual problem-solving and community service. (PLO 6)	Be prepared to take a leading role in the development of their country

Class Participation

This course will be a mix of lectures and discussions, which will emphasize the in-class participation. Everyone is expected to have read assigned chapters and course materials. Everyone is also expected to follow international news and seek examples from current events illustrating ideas made in the textbook. At each class meeting, two students will be responsible for summarizing the readings and posing questions based on the readings to the class. Depending on the class enrolment, each student should be prepared to summarize and to discuss the assigned readings 2-3 times during the semester. If there is a reason you feel you should not be assigned in this way please make an appointment to speak with me to discuss the matter.

Attendance and Participation

Attendance will be taken at each class meeting. It is your responsibility to sign the attendance sheet, but you may not sign the attendance sheet for another student as this can be deemed forgery and will warrant disciplinary procedures. More than two unexcused absences will result in a 5% deduction of the total course grade. Missing the class without prior permission from the instructor or without a written excuse (for example, an official doctor's note) will be deemed an unexcused absence. Absences due to valid reasons must be negotiated with the instructor prior to missing class. Students who arrive late, leave early, or are disruptive in class will be counted absent.

Tip: **First**, read the chapter and think about it; **Second**, attend a lecture, and; **Third**, participate in the discussion. You can and should ask questions in class, and I will often ask you questions in class.

Completing Perusall tasks after each reading

You must read assigned texts (up to 100 pages for each class) prior to each class. each reading. You must complete at least 20 Perusall tasks to earn 90% of the grade for this assignment (no more than 3 completed tasks per week will be counted towards the grade). These Perusall tasks must be completed on Moodle before each class. You will be asked about these tasks during each and every class. If you do not complete these tasks, you will not earn a high grade in this class. Paraphrasing from others or using AI-generated text or "pouring water" in these tasks are not allowed. Remember: there are no stupid questions in this course. In fact, the essence of social science and legal research is to be skeptical about well-established truths and about asking questions. As we will learn in this course, asking and sharpening your questions is as much important as addressing them.

Writing Assignments

1. You will write an in-class midterm test.
2. You will write 4 pop-up (unannounced) quizzes
3. You will write Perusall tasks.
4. You will make a 7-minute-long in-class presentation on the contemporary international legal question.
4. You will write a 7-page-long double-spaced memo on one of the topics given later in the semester.

Grading Scheme:

Attendance: 0%	
Class Participation: 10%	CLOs# 1,3,4
Perusall tasks: 10%	CLOs# 1,2,3
Four Pop-up Quizzes: 20% (5% each)	CLOs# 1,2
Midterm Test: 25%	CLOs#1,2,3
7-page Memo: 25%	CLOs#1,2,3,4
In-class presentation: 10%	CLOs#1,2,3,4
TOTAL: 100%	

Grading scale

A 95-100%; A- 90-94
B+ 85-89; B 80-84; B- 75-79
C+ 70-74; C 65-69; C- 60-64
D 55-59; D- 50-54
F 0-49

Warnings against Plagiarism and Cheating

Both plagiarism and cheating will not be tolerated and punished according to the “Student Code of Conduct and Disciplinary Procedures of Nazarbayev University.” If you are unsure whether your actions constitute one or both of these practices, please talk to me about them. Under this Student Code, plagiarism “is intentionally or carelessly presenting the work of another as one’s own. It includes submitting an assignment purporting to be the student’s original work that has wholly or in part been created by another person or AI-generating software. It also includes presenting another person’s work, ideas, representations, or words without customary and proper acknowledgment of sources. Plagiarism occurs when a person:

- Directly copies one or more sentences of another person’s written work without proper citation. If another writer’s words are used, you must place quotation marks around the quoted material and include a footnote or other indication of the source of the quotation. This includes cut and paste from the internet or other electronic sources;
- Changes words but copies the sentence structure of a source without giving credit to the original source, or closely paraphrases one or more paragraphs without acknowledgment of the source of the ideas, or uses graphs, figures, drawings, charts or other visual/audio materials without acknowledging the source or the permission of the author;
- Submits false or altered information in any academic exercise. This may include making up data for an experiment, altering data, citing nonexistent articles, contriving sources, etc.;

- Turns in all or part of an assignment done by another student or AI software and claims it as their own;
- Uses a paper writing service, has another student write a paper, or uses a foreign language translation and submits it as their own original work.

Cheating harms the very fiber of the University community. Honest students are put at a disadvantage due to the unfairness of the act and the potential that the grading structure of the class may be altered to their disadvantage. A student who cheats does not receive a real education, robbing themselves of the experience of how to learn. This is the focus of any university education. Cheating also damages the reputation of the University as well as the fabric of society. Finally, cheating damages the ethics of the individual, teaching them a wrong approach to life that will not be sustainable in their future careers. Cheating occurs when a person:

- Gains or provides unauthorized access to examination materials.
- Uses notes, mobile phone, books, calculator or other materials/devices during an examination without the permission of the instructor.
- Copies from another student's exam sheet with or without their permission or allows a student to copy from their exam sheet.
- Obstructs or interferes with another student's efforts in an academic exercise.
- States a dishonest reason in a request for an extension for an exam or paper.
- Continues to write even when time is up during an exam.
- Talks during an examination period.
- Asks another student take an examination or quiz.
- Any other action that gives a student an unfair advantage during an examination period or on any assignment being graded for credit."

Useful Websites:

- <http://www.ejiltalk.org/>; <http://opiniojuris.org/> ; <https://ilg2.org/> ; <http://opil.ouplaw.com/>
- American Society for International Law ("ASIL"):
 - Guide to Electronic Resources for International Law [Resources | ASIL](#),
- [Human Rights Library- University of Minnesota \(umn.edu\)](#)

Required Readings:

- Textbook with Access Code from NU Library: [Law Among Nations: An Introduction to Public International Law](#) by Gerhard von Glahn and James Larry Taulbee
- Articles and Legal Materials on Moodle

Course Schedule with Readings (pgs=pages in the textbook)

SUBJECT TO CHANGE

WEEKS 1-2: What is International Law (IL)? How did IL develop? What are the sources of IL?

READ: Chapter 1, pgs. 3-22; Chapter 2, pgs. 23-46; Chapter 3, pgs. 47-67.

WEEK 3: International Agreements

READ: Chapter 4, pgs. 68-96; and examples of reservations to CEDAW [www] and Bilateral Investment Treaties of Kazakhstan”

WEEK 4: International Legal Process

READ: Chapter 5, pgs. 97-111; Chapter 6, pgs. 112-117 and 128-129.

WEEK 5: Who are the subjects of IL? What are their rights and duties?

READ: Chapter 7, pgs. 133-166, and the video about the Principality of Sealand [youtube]; Chapter 8, pgs. 167-192, and the case of the Russian Consulate in Almaty [www]

WEEK 6: Nationality and Principles of Jurisdiction

READ: Chapter 9, pgs. 195-214; Chapter 10, pgs. 216-247, and extradition treaties signed by Kazakhstan [www]

WEEK 7: Fall Break

WEEK 8: State responsibility and IL of Airspace, Cyberspace and Outer Space

READ: Chapter 11, pgs. 248-270; Chapter 13, pgs 306-332.

WEEKS 9-10: The Individual and IL: Human Rights and International Criminal Law

READ: Chapter 15, pgs. 373-400, and Gerasimov v. Kazakhstan case [www]; Chapter 16, pgs. 401-434.

WEEK 11: Adjudication; International Environmental Law

READ: Chapter 17, pgs. 437-461; Chapter 18, pgs. 463-495.

WEEKS 12-13: IL and the Use of Force

READ: Chapters 20-22, pgs. 531-629

WEEKS 14-15: Student presentations