

## **POL 17 AND MPhil IN POLITICS AND INTERNATIONAL RELATIONS**

### **INTERNATIONAL LAW IN THE EMERGING INTERNATIONAL CONSTITUTIONAL ORDER**

Course Convener: Professor Marc Weller, MA, MALD, Dr jur, Dr phil, PhD, FCI Arb

Teaching Assistant: Emma van Santen

Supervisors: Emma van Santen and Dr Mark Retter

#### **Course Aims:**

The appreciation of law in international relations seems to undergo radical change at almost regular intervals. At certain periods, the international rule of law is proclaimed as the core principle of international life. After the devastation of WWI--the first war meant to end all war-- the 'legal approach' to international politics was deployed to replace the traditional system of power politics and war. Economic interdependence, cultural cohesion, mechanisms to facilitate peaceful change and a system for the collective enforcement of world peace were created in the shape of the League of Nation.

World War II left the legal approach thoroughly discredited. After all, the League of Nations and its system of peaceful change had not stopped Hitler and the global destruction he had brought. Yet, the discredited League was followed by an even bolder experiment in international organization. Where the League sought to encourage reasonable conduct among states through legal processes, the United Nations Organization would simply impose peace on the world through the exercise of supranational powers based in a universal treaty aiming to secure perpetual peace. Of course, instead of peace enforcement, the Cold War brought about renewed global confrontation and a freeze in the operation of the collective security mechanism. Yet, after an initial hiatus, the emphasis on international law grew again, as the period of détente and 'peaceful cooperation' developed between East and West, resting on a basic consensus about the rules of the game of international politics.

During the Little Cold War that followed in the wake of the Soviet invasion of Afghanistan of December 1979, the pendulum swung back, away from international law and towards so-called neo-realism exemplified by the Reagan administration in the US. There followed a period of distrust among the ideological opponents on the global scene, and of intervention and counter-intervention. But not so long after that, the end of the Soviet Union and Warsaw Pact brought about the inauguration of the so-called New World Order, often associated with another US President, George Bush the Elder. The paradigm of the New World Order emphasized rule-based conduct of states and led to a very considerable revival of interest in international law among international relations scholars.

In fact, there was not much that was really new in the concept of the New World Order, at least to the international lawyers. Rather, the New World Order chiefly consisted of the hope that the United Nations System, previously partially frozen due to the Cold War, might now function as originally intended. In addition, there was a strong revival of the very essence of the 'legal approach' of the even earlier League of Nations era, suggesting that states would subject themselves to compulsory settlement of their disputes. The hypothesis of the 'end of history' added the

suggestion that there could now exist a universal set of uncontested global values underpinning the international rule of law system. Global regulatory efforts, which had previously covered outer space, the law of the sea, human right and many other areas, could resume, it was thought, extending into the areas of equitable development and trade, climate change, the prevention of genocide and the pursuit of war crimes through an international criminal court.

In this climate of enthusiasm, international Lawyers and IR theorists alike discussed new models of norm creation and norm diffusion. Ideas about the waning of the state and the emergence of new, non-traditional international actors were broadly discussed. Statesmen and women were competing with scholars in proclaiming the demise, or at least the transformation, of classical state sovereignty. There was talk about the democratic norm in international law and the cosmopolitan doctrine of Responsibility to Protect was enunciated.

The 'legalisation' of the international political order seemed to have been confirmed by the proliferation of international, regional and bilateral treaties that seemed to form an all-encompassing system of regulation for the international sphere. The UN Treaty office has registered some 250,000 'treaties and treaty actions' between states. The idea that state conduct should comply with international law appeared to have become deeply rooted in international politics.

However, this view has now, once again, come under pressure. The US/UK invasion of Iraq in 2003 started to dent the belief in a New World Order. Since then, fragmentation of global values is said to have occurred. Regional particularities are being invoked when human rights are discussed—rights that by their nature ought to be fully universal. New, contentious issues are dividing East and West and North and South, including demands for a changed global economic order, demands for the preservation of the environment, the problems relating to the competition for scarce resources and increasing competition over the control of internationalized spaces, etc. Moreover, even if it has to be acknowledge that states remain, by and large, committed to the performance of their international obligations, non-state actors and deviant states seem to disrupt the system. Armed movements and terrorist groups, along with a small number of so-called 'rogue states', appear to have opted out of the legal system altogether. The horrific violations of humanitarian law in Syria are sometimes taken as an indication that the global consensus on at least key rules of the system is now being broken once more as a matter of routine. International institutions, such as the UN Security Council, have been meek observers of this development, the use of the veto among the Great Powers having come in fashion again.

While these developments may suggest a need for more mechanisms to resolve disputes and a higher level of international legal regulation, the opposite trend can be discerned. Within Europe, BREXIT has undermined the faith in an ever denser process of integration at the expense of national sovereignty. The defection of the US from a significant range of global treaties and arrangements of international constitutional significance, including on disarmament and the environment, has dented faith in universal legislation. The Russian Federation and increasingly China seem to be pressing for their national interest at the expense of the credibility of a global legal order equally applicable to all. As the tragedy in Syria has demonstrated, the UN mechanism for collective security seems to have returned to Cold War inactivity. Voices in Africa are increasingly opposing what was thought to be the crowning

achievement of international organization of the 20<sup>th</sup> century, the International Criminal Court, claiming it to be a Western Imperialist conspiracy.

Does this mean that we are now facing a decade or more of unconstrained conflict instead of cooperation? The catchwords of international fragmentation and of plurality in international systems certainly seem to suggest a move away from the international rule of law as traditionally understood. After all, international law, at least as traditionally conceived, presupposes a common vision of one legal system that applies equally for all, rather than a set of ever more fractionated sub-systems that compete and collide with one another.

On the other hand, compliance with international rules is in fact quite deeply embedded within the international system. While upsets (Iraq 2003) will occur, the rules themselves have thus far proven surprisingly resilient. And global issues, such as economic equity and environmental sustainability, will ultimately require global solutions. These will inevitably need to take the shape of legal rules and legally established institutions.

**In this climate of challenge and realignment within the international system, this course seeks to investigate the continuing function and role of law in the international system. It analyses and questions the fundamental assumptions about ‘international order’ and attempts to identify the first elements of what may be described as an emerging international constitutional system. These elements have developed steadily since 1945 and appear to have survived the ups and downs in the development of international law.**

Throughout, the course considers international law as a paradigm for the critical analysis of international relations, while at the same time not forgetting the specific nature of law as a distinct and practical tool for the management of transnational affairs.

You will note that we will encounter many of the concepts you are studying as part of IR or political theory, contemporary history, conflict studies, international organizations, etc.

### **Objectives:**

In accordance with the analytical aims noted above, this course pursues the following specific objectives:

1. **You should be able to see international law as a useful paradigm for the understanding of international relations.** International law closely reflects the functioning and power-relationships within the international system—hence it is a very handy tool for understanding these. Moreover, classical international law reflects patterns of practice established by states for their mutual benefit. Accordingly, legal rules channel state conduct and allow us to some extent to ‘read’ and predict their actions. Moreover, international law also establishes a unique focal point for debates about ‘key values’ of the international system. It provides a mechanism for the balancing of competing values, and you will learn to recognize these struggles for values that underpin discourse among actors in the international system. Indeed at present we are witnessing a competition between the classical view of international law as a system based

- on strict state consent and sovereignty, and a more advanced international constitutional concept of international law.
2. As a result of your participation in this course, you should be able **to recognize an issue that would benefit from legal analysis and to identify the *meta-question* that underpins the facts you are looking at**—the clash of opposing claims to values that constitutes the ‘underlying tension’ in many international disputes.
  3. You should be able to **understand the technique of legal analysis and argument, and be able to critically evaluate legal arguments** that are being put to you.
  4. You should **understand the operation of legal rules** in relation to a number of substantive issue areas we have been discussing.

### **Teaching and Assessment:**

The course is suitable for those who have not yet had any exposure to international law or, indeed, to law. In fact, virtually none of the participants in the course will have had no previous exposure to legal studies. Those who have previously studied international law may wish to consider other course options, as we will be covering many basic issues within this subject area they will have encountered before, although from a somewhat more advanced and critical perspective.

The course is taught through a mixture of lectures and seminars. **Please be aware: The seminars will generally not take the form of open, unguided discussion, but will focus on the analysis of cases and other examples of practice. This requires preparation on the part of the participants and it may not satisfied those keen on a more open format of discussions.**

Candidates on the MPhil course will share the lectures with POL 17. They would be substantially the same in any event and there is no point in repeating the same. Moreover, a slightly larger group tends to be more conducive to a lecture format.

The MPhils also receive a two-hour seminar every week. POL 17 alternates between a seminar tracking the graduate course one week, and a supervision the next. The supervisions will address comparable issues to those covered in the MPhil seminar in the respective week, but will of course follow the undergraduate teaching format.

**You will be invited to offer one seminar presentation during the year, most likely arguing a case. A sign-up sheet will be offered during Week II for each of the two seminar groups.**

Candidates’ seminar presentations should be no longer than six minutes and should be accompanied by a single sheet hand-out summarising the case and the applicable law for other students. The presentation will be on one of the key cases for that seminar (the key cases are identified throughout the guide below). Candidates should select one side of the case (eg for or against self-determination or humanitarian intervention or the use of force, etc) and argue for that side.

**Assessment** will be by written examination. Candidates will be given three hours to answer one question out of the five that are put. Three of the five questions will be problem-solving questions and two of the five will be essay questions. You will be given a set of key treaties (UN Charter, ILC Articles on State Responsibility, ICC Statute, Vienna Convention on the Law of Treaties) for use in the exam, provided these are entirely unannotated.

For MPhil candidates, there will be one (informally) assessed practice essay, due on Friday, 29 November. The essay will require a case analysis from the collection of practice cases to be assigned by Professor Weller, who will offer individual feedback to all.

POL 17 candidates will offer regular supervision essays and will obtain feedback during those sessions. There will also be a general revision session in advance of the examination in Easter Term.

During Lent, or possibly even earlier, it is strongly suggested that you form study groups of two or three candidates each to go through and discuss some of the additional practice cases that will be made available. You are not in competition with one another (we can give as many distinctions/first class marks as may be warranted)—so the more you help one another, the better.

#### **Key Texts and Readings:**

It would be useful if you could read a short, introductory textbook to international law just to familiarize yourselves with issues, terminology and approach. A very good but by now somewhat venerable work is Rosalyn Higgins, *Problems and Process: International Law and How We Use It* (1995). Baroness Higgins served as President of the International Court of Justice after a long academic career and her book remains useful.

An even more venerable but still interesting text is Louis Henkin, *How Nations Behave: Law and Foreign Policy*, 2<sup>nd</sup> ed., 1979. A far more recent work that is worth reading in its entirety as a brief introduction to the field is Ian Hurd, *How to do Things with International Law* (2018).

There is also a whole host of introductory textbooks, mainly intended to accompany undergraduate courses. These include Akehurst, Dixon, Lowe, Evans and, for the ambitious, James Crawford's edition of Brownlie.

We will mostly refer to individual chapters in **Shaw, *International Law*, 8<sup>th</sup> edition, 2017**, as the course progresses. In the syllabus, you will also find references to 'Harris', which is **Harris and Sivakumaran, *Cases and Materials on International Law*, 8<sup>th</sup> Edition, 2015**.

You will not need to read the casebook as a whole, or even individual chapters. Rather, reference is made to a number of important cases stipulated in the syllabus.

**All colleges have plenty of copies of both books, or you may wish to purchase them.** Heffers will have stacks of both, as they are also used as the standard points of reference for the courses given in the faculty of law.

Some of you may wish to buy one of the standard collections of essential treaties, such as *Blackstone's International Law Documents*, 11<sup>th</sup> ed, 2013 or a similar collections edited by Ian Brownlie and also Evans. Both can also be found in multiple copies in the Library. We will, however, distribute a small collection of key treaties to all candidates on the course.

For this course, you will find all handouts, including supplementary readings, week by week, on the electronic resource,

I shall be giving the lectures and seminars over most weeks. However, there may be occasions when someone else will be invited to cover a given week if their particular expertise in the area under review is likely to exceed what I can offer.

The graduates will have one seminar per week, along with the lectures. For the undergraduates, the seminars alternate with supervisions.

I have been reluctant to offer regular office hours, as this seems to imply that I am only available then. You should feel free to seek me out whenever the need arises. My e-mail is mw148@cam.ac.uk.

Please contact the Teaching Assistant, Emma van Santen (ew361@cam.ac.uk), for any practical issues related to the course.

## **SYLLABUS**

**KINDLY NOTE; FOR EACH WEEK MORE DETAILED NOTES AND READING SUGGESTIONS WILL BE MADE AVAILABLE.**

### **MICHAELMAS TERM:**

#### **(WEEK O)**

This, as it were, extra offering aims to help you find your way into the subject.

#### **MPHIL INTRODUCTORY SEMINAR—STRUCTURE OF LEGAL ARGUMENT**

Weds 9th October, 2-3.30 pm (Room 138, Alison Richard Building)

#### **POL 17 INTRODUCTORY SEMINAR—STRUCTURE OF LEGAL ARGUMENT**

Weds 9th October, 3.30-5 pm (Room 138, Alison Richard Building)

At this session we will try to get a feeling for the application of international law, in particular the way of constructing a legal argument. While the case we shall be discussing concerns the law of the sea, in fact we are merely using it to illustrate the kinds of legal authorities that can be used to build an argument. This includes treaties, customary law, general principles and analogies and reliance on the acts or statements of the other side in a case.

The case for discussion, *The Great Belt Case*, was handed out to you, along with a few materials that may be of use in preparing your argument. Be prepared to argue for Denmark or Finland, as the luck of the draw may determine on the day. Remember that you are not meant to become experts in the law of the sea on this first day—focus on the cunning way in which you could present the strongest possible argument for either side.

## **WEEK I**

Textbook: Shaw, Chapters 1 and 2.

Casebook: Harris, Chapters 1 and 2.

During this week, we shall consider:

- The function of law in a society;
- The differences between national legal systems and the international system;
- The traditional certainties about the core rules of the international system;
- The recent challenges to these certainties.

### **LECTURE 1: LAW IN THE INTERNATIONAL SYSTEM**

Thurs 10<sup>th</sup> October, 9-10am (SG1, Alison Richard Building)

The first lecture identifies the aims and functions of legal systems and their key elements. In preparation, consider the following:

“On 13 June 1995, President Chirac of France announces that France will conduct a ‘final’ series of eight underground nuclear weapons tests in the South Pacific, at the POLIS atoll, starting in September 1995. *Advise a French Polynesian islander resident on the relevant island on a legal strategy she might adopt.*”

You will receive a short handout with additional materials during the lecture, which we will use to continue our discussion about this case during the initial seminar (Thursday for the MPhils and Monday for POL 17).

### **LECTURE 2: CONSENT IN THE INTERNATIONAL LEGAL SYSTEM**

Friday 11<sup>th</sup> October, 9-10 am (SG2, Alison Richard Building)

### **MPHIL SEMINAR 1: ELEMENTS OF THE INTERNATIONAL LEGAL SYSTEM**

Thurs 10<sup>th</sup> October, 2.15-4 pm (Room 119, Alison Richard Building)

At this seminar, we will continue our discussion about the basic structure of the international legal system and its development.

## **WEEK II**

Textbook: Shaw, Chapters 3 and 15.

Casebook: Harris, Chapters 2 and 10.

### **POL 17 SEMINAR 1: ELEMENTS OF THE INTERNATIONAL LEGAL SYSTEM**

Mon, 14 October, 9-11 am (Room 138 Alison Richard Building)

At this seminar, we will continue our discussion about the basic structure of the international legal system and its development.

### **LECTURE 3: THE REQUIREMENT OF CONSENT**

Thurs 17<sup>th</sup> October, 9-10 am (SG1, Alison Richard Building)

This lecture introduces the discussion about so-called sources of international law and the law of treaties.

### **MPHIL SEMINAR 2: TREATIES AND RESERVATIONS**

Thurs 17<sup>th</sup> October, 2.15-4 pm (Room 119, Alison Richard Building)

We will deepen our understanding of the law of treaties and focus, in particular, on the issue of uniformity and universality of treaty obligations and the issue of micro-managing consent through reservations. We shall study the Qatar Reservation to Human Rights Treaties (if not already covered in the lecture) and the Afghanistan peace accords, materials being provided in a separate handout.

### **LECTURE 4: FROM CONSENT TO CONSENSUS? CUSTOM**

Friday 18<sup>th</sup> October, 9-10 am (SG2, Alison Richard Building)

At this seminar we will review doctrine and practice on custom, including bilateral and regional custom. We will discuss the Economic Rights and Duties Case from the Practice Cases Handout.

## **WEEK III**

Textbook: Shaw, Chapter 3.

Casebook: Harris, Chapter 2.

### **POL 17 SUPERVISION 1: UNIVERSAL CUSTOM**

The supervision will address sources and custom, in particular the Economic Rights and Duties Case from the Case Handout.

#### LECTURE 5: UNIVERSAL CUSTOM

Thurs 24th October, 9-10 am (SG1, Alison Richard Building)

We shall continue our discussion of customary international law, including the relationship between treaty and custom.

#### MPHIL SEMINAR 3: UNIVERSAL CUSTOM

Thurs 24th October, 2.15-4 pm (Room 119, Alison Richard Building)

During this seminar, we shall discuss and analyse the Nuclear Weapons Advisory Opinion of the International Court of Justice.

#### LECTURE 6: HIGHER-ORDER RULES

Friday 25th October, 9-10 am (Finley Library, Lauterpacht Centre)

We shall consider the differing concepts of general international law, obligations *erga omnes*, *jus cogens* and serious violations of peremptory norms.

### **WEEK IV**

Textbook: Shaw, Chapter 3.  
Casebook: Harris, Chapter 2.

#### POL 17 SEMINAR 2: GENERAL INTERNATIONAL LAW

Monday, 28 October, 9-11 am (Room 138 Alison Richard Building)

We shall study the Nuclear Weapons Advisory Opinion.

#### LECTURE 7: CONSEQUENCES OF HIGHER-ORDER STATUS

Thursday 31 October, 9-10 (SG-1, Allison Richards Building)

This lecture tries to distinguish the related concepts of *erga omne*, *jus cogens*, etc.

#### MPHIL SEMINAR 4: CLASH OF HIGHER-ORDER RULES

Thurs 31st October, 2.15-4 pm (Room 119, Alison Richard Building)

We shall consider the clashes of higher order rules, in particular the Lockerbie and Bosnia Genocide Cases.

#### LECTURE 8: SUBSIDIARY SOURCES

Friday 1<sup>st</sup> November, 9-10 am (SG2, Alison Richard Building)

We shall address unilateral acts, decisions of court, international organizations, including the UN General Assembly, and general principles of law.

## **WEEK V**

Textbook: Shaw, Chapter 5 and 8.

Casebook: Harris, Chapter 4.

### **POL 17 SUPERVISION 2: CLASHES OF HIGHER ORDER RULES**

The supervision will consider clashes of higher order rules, in particular the Lockerbie and Bosnia Genocide Cases.

#### **LECTURE 9: THE STATE**

Thurs 7<sup>th</sup> November, 9-10 am (SG1, Alison Richard Building)

We will introduce the concept of statehood and of self-determination.

#### **MPHIL SEMINAR 5: COLONIAL SELF-DETERMINATION**

Thurs 7<sup>th</sup> November, 2.15-4 pm (Room 119, Alison Richard Building)

In this seminar, we shall introduce colonial self-determination and discuss the Western Sahara case.

#### **LECTURE 10: THE CLASSICAL DOCTRINE OF SELF-DETERMINATION**

Friday 8<sup>th</sup> November, 9-10 am (Finley Library, Lauterpacht Centre)

In this session we shall consider the entitlement to statehood through the doctrine of self-determination as classically conceived.

## **WEEK VI**

Textbook: Shaw, Chapters 5 and 8.

Casebook: Harris, Chapter 4.

### **POL 17 SEMINAR 3: CLASSICAL SELF-DETERMINATION**

Mon 11 November, 1-11 (Room 138 Alison Richard Building)

During this seminar, we shall address colonial self-determination and recent challenges to that doctrine. We shall study the Western Sahara case.

#### **LECTURE 11: CONSTITUTIONAL AND REMEDIAL SELF-DETERMINATION**

Thurs 14<sup>th</sup> November, 9-10 am (SG1, Alison Richard Building)

During this lecture we shall note the development of the doctrines of constitutional and remedial self-determination, in particular through the events connected with the dissolution of the former Yugoslavia.

**MPHIL SEMINAR 6: POST-COLONIAL PRACTICE**

Thurs 14th November, 2.15-4 pm (Room 119, Alison Richard Building)

We shall study the cases of Chechnya and Kosovo.

**LECTURE 12: SELF-DETERMINATION AND THE DEMOCRATIC STATE**

Friday 15th November, 9-10 am (SG2, Alison Richard Building)

We shall address the case of Catalonia.

**WEEK VII**

Textbook: Shaw, Chapter 6.

Casebook: Harris, Chapter 9.

**POL 17 SUPERVISION 3: Post Colonial Self-determination**

The supervision will address the cases of Kosovo and Catalonia.

**LECTURE 13: SOLVING THE SELF-DETERMINATION DILEMMA**

Thurs 21st November, 9-10 am (SG1, Alison Richard Building)

This Lecture addresses novel approaches to the resolution of self-determination disputes.

**MPHIL SEMINAR 7: HUMAN RIGHTS IN PRACTICE**

Thurs 21st November, 2.15-4 pm (Room 119, Alison Richard Building)

During this seminar we shall consider the efficacy of the universal and regional human rights systems.

**LECTURE 14: THE UNIVERSAL HUMAN RIGHTS SYSTEM**

Friday 22nd November, 9-10 am (SG2, Alison Richard Building)

The lecture will consider the application of the UN Charter-based human rights mechanisms.

**WEEK VIII**

Textbook: Shaw, Chapters 7 and 11.

Casebook: Harris, Chapter 5.

**POL 17, SEMINAR 4: INTERNATIONAL CRIMES IN PRACTICE**

Monday, 25 November 9-11 a.m, room TBC.

This seminar will address the jurisdiction and functioning of the ICC.

**LECTURE 15: STATE POWERS AND TYPES OF JURISDICTION**

Thurs 28th November, 9-10 am (SG1, Alison Richard Building)

This lecture will introduce the concept of jurisdiction, including universal jurisdiction.

**MPHIL SEMINAR 8: INTERNATIONAL CRIMES IN PRACTICE**

Thurs 28th November (Room 119, Alison Richard Building)

This seminar will address the jurisdiction and functioning of the ICC.

**LECTURE 16: JURISDICTION AND IMMUNITIES**

Friday 29th November, 9-10 am (SG2, Alison Richard Building)

This lecture will add the dimension of limitations to jurisdiction, including sovereign immunity, diplomatic immunity and 'act of state'.

## **LENT TERM**

### **WEEK IX**

Textbook: Shaw, Chapters 13 and 15.

Casebook: Harris, Chapters 8 and 10.

#### **LECTURE 17: ADDRESSING CHANGE**

Thurs 16<sup>th</sup> January, 9-10 am (SG1, Alison Richard Building)

In the past, it was asserted that states can disregard or disown international legal obligations when their vital interests change. This lecture considers the mechanisms available for managing the change of circumstances of interests in international law.

#### **MPHIL SEMINAR 9: INTERNATIONAL CLAIMS**

Thurs 16<sup>th</sup> January, 2.15-4 pm (Room 119, Alison Richard Building)

This seminar considers how international claims, mainly involving foreign nationals and the state in which they operate, are handled. We will consider the case of Goldenboy and Goldenbaby from the annex of practice cases.

#### **LECTURE 18: COMPLIANCE MANAGEMENT**

Friday 17<sup>th</sup> January, 9-10 am (SG2, Alison Richard Building)

This session considers the means and methods of bringing states into compliance with international law. Particular emphasis will be placed on the countermeasures and other unilateral actions.

### **WEEK X**

Textbook: Shaw, Chapters 17 and 18.

Casebook: Harris, Chapter 12.

#### **POL 17 SEMINAR 5: STATE RESPONSIBILITY AND CLAIMS**

Monday, 20 January, 9-11, room TBC

This seminar considers how international claims, mainly involving foreign nationals and the state in which they operate, are handled. We will consider the case of Goldenboy and Goldenbaby from the annex of practice cases.

#### **LECTURE 19: DISPUTE SETTLEMENT**

Thurs 23<sup>rd</sup> January, 9-10 am (SG1, Alison Richard Building)

This lecture considers the UN system for the settlement of international disputes and the different mechanisms available towards that end.

**MPHIL SEMINAR 10: ARBITRATION AND ICJ PRACTICE**

Thurs 23rd January, 2.15-4 pm (Room 119, Alison Richard Building)

This seminar considers the issue of jurisdiction in the South China Sea Arbitration and also how the ICJ can become active in contentious and in advisory proceedings.

**LECTURE 20: ICJ JURISDICTION**

Friday 24th January, 9-10 am (Finley Library, Lauterpacht Centre)

This lecture discusses access to the jurisdiction of the ICJ.

**WEEK XI**

Textbook: Shaw, Chapter 14.

**POL 17 SUPERVISION 5: DISPUTE SETTLEMENT AND THE ICJ**

This supervision reviews the mechanisms available for the settlement of international disputes and considers access to ICJ jurisdiction.

**LECTURE 21: ACHIEVING ECONOMIC JUSTICE IN THE INTERNATIONAL SYSTEM**

Thurs 30th January, 9-10 am (SG1, Alison Richard Building), Dr Markus Gehring

**MPHIL SEMINAR 11: SUSTAINABLE ECONOMIC DEVELOPMENT AND CLIMATE CHANGE**

Thurs 30th January, 2.15-4 pm (Room 119, Alison Richard Building), Dr M.D. Retter

**LECTURE 22: PRESERVING AND PROTECTING THE ENVIRONMENT**

Friday 31st January, 9-10 am (SG2, Alison Richard Building), Dr Markus Gehring

**WEEK XII**

Textbook: Shaw, Chapters 19 and 21.

Casebook: Harris, Chapter 11.

**POL 17 SEMINAR 6: ECONOMIC JUSTICE AND THE ENVIRONMENT**

3 February, 9-11, (Room TBD) Dr M Retter

**LECTURE 23: TERRITORY**

Thurs 6th February, 9-10 am (SG1, Alison Richard Building)

**MPHIL SEMINAR 12: LAW OF THE SEA**

Thurs 6th February, 2.15-4 pm (Room 119, Alison Richard Building)

During this session we will consider whether there is future for the concept of common heritage of mankind.

**LECTURE 24: INTERNATIONAL SPACES**

Friday 7th February, 9-10 am (SG2, Alison Richard Building)

This lecture will consider the High Seas, Outer Space and the Arctic and Antarctica.

**WEEK XIII**

Textbook: Shaw, Chapters 19 and 21.

Casebook: Harris, Chapter 11.

**POL 17 SUPERVISION 6: KUWAIT**

This supervision considers the collective response to the invasion of Kuwait.

**LECTURE 26: THE CONCEPT AND DEVELOPMENT OF COLLECTIVE SECURITY**

Thurs 13th February, 9-10 am (SG1, Alison Richard Building)

**MPHIL SEMINAR 13:**

Thurs 13th February, 2.15-4 pm (Room 119, Alison Richard Building)

We shall discuss the case of Kuwait.

**LECTURE 26: THE UN SYSTEM FOR COLLECTIVE SECURITY**

Friday 14th February, 9-10 am (Finley Library, Lauterpacht Centre)

**WEEK XIV**

Textbook: Shaw, Chapter

Casebook: Harris, Chapter

**POL 17 SEMINAR 7: IRAQ 2003**

**LECTURE 27: THE PROHIBITION OF THE USE OF FORCE**

Thurs 20th February, 9-10 am (SG1, Alison Richard Building)

This lecture addresses the interpretation of the prohibition of the use of force in relation to claims to the unilateral use of force.

**MPHIL SEMINAR 14: UNILATERAL USE OF FORCE AND THE END OF THE NEW WORLD ORDER?**

Thurs 20th February, 2.15-4 pm (Room 119, Alison Richard Building)

This session will consider the Iraq war of 2003.

**LECTURE 28: SELF-DEFENCE**

Friday 21st February, 9-10 (SG2, Alison Richard Building)

This lecture considers self-defence, including anticipatory self-defence and argument in favour of additional derivations of that right.

**WEEK XV**

Textbook: Shaw, Chapter 19 and 21.

Casebook: Harris, Chapter 11.

**POL 17 SUPERVISION 7: INTERVENTION**

This supervision will address the problems of humanitarian and so-called pro-democratic intervention.

**LECTURE 29: FORCIBLE HUMANITARIAN ACTION**

Thurs 27 February 9-10 (SG1, Alison Richard Building)

This lecture introduces the concept of and debate about so-called forcible humanitarian intervention.

**MPHIL SEMINAR 15: CONTESTED INTERVENTIONS**

This seminar will address the problems of humanitarian and so-called pro-democratic intervention.

**LECTURE 30: PRO-DEMOCRATIC ACTION**

Friday, 28 February, 9-10 (Finley Library, Lauterpacht Centre)

This lecture will conclude the discussion about intervention, also considering arguments in favour of pro-democratic action.

**WEEK XVI**

**MPHIL REVISION SEMINAR 16**, Thurs 5 March, 2-4 pm (Room 119, Alison Richard Building).