



**EUCLID / EUCLID UNIVERSITY {CONSORTIUM}
EUROSTATE UNIVERSITY INSTITUTE
JOHN JAY SCHOOL OF DIPLOMACY AND INTERNATIONAL RELATIONS
Instructor / Tutor: Prof. Mike Massa + others**

INTERNATIONAL LAW AND TREATY LAW

- ✓ **Credits: 5 US / 7.5 ECTS**
- ✓ **Code: LAW-INT**

COURSE DESCRIPTION:

Prerequisite

This course is a composite based on an introductory Teaching Company lecture which may be waived for some students. The topics of the introductory portion are:

1. Foundations of Contract
2. Offer and Acceptance
3. Consideration, Capacity, and Form
4. Genuineness and Discharge
5. Performances and Discharge
6. Remedies
7. Third-Party Rights
8. International Contracts

All students should own a dictionary of legal terms and have it on hand as they read the assigned textbooks.

Part 1: International Law – General (target duration 4-6 weeks)

The foundational textbooks for the course are:

- International Law (Malcolm N. Shaw or Antonio Cassese)

1. The nature and development of international law; 2. International law today; 3. Sources; 4. International law and municipal law; 5. The subjects of international law; 6. The international protection of human rights; 7. The regional protection of human rights; 8. Recognition; 9. Territory; 10. Air law and space law; 11. The law of the sea; 12. Jurisdiction; 13. Immunities from jurisdiction; 14. State responsibility; 15. International environmental law; 16. The law of treaties; 17. State succession; 18. The settlement of disputes by peaceful means; 19. Interstate courts and tribunals; 20. International law and the use of force by states; 21. International humanitarian law; 22. The United Nations; 23. International institutions.

After reading the 'SHAW,' students must contact their assigned faculty member for a review and paper assignment.

Part 2: Law of Treaties (target duration 4-6 weeks)

- Modern Treaty Law and Practice (Anthony Aust)

1. Vienna convention on the Law of Treaties 1969; 2. What is a treaty?; 3. MoUs; 4. Capacity to conclude treaties; 5. Full powers; 6. Adoption and authentication; 7. Consent to be bound; 8. Reservations; 9. Entry into force; 10. Treaties and domestic law; 11. Territorial application; 12. Successive treaties; 13. Interpretation; 14. Third states; 15. Amendment; 16. Duration and termination; 17. Invalidity; 18. The depositary; 19. Registration and publication; 20. Dispute settlement and remedies; 21. Succession to treaties; 22. International organisations; 23. Drafting and final clauses; Appendices.

After reading the 'AUST,' students must contact their assigned faculty member for a review and paper assignment.

Part 3: International Law – US perspectives (target duration 4-6 weeks)

Most students will also be required to read the Carter and Trimble International Law volume, although this may be waived for certain non-US students.

After reading the 'Carter and Trimble,' students must contact their assigned faculty member for a review and paper assignment.

COURSE OBJECTIVES

- ✓ Understand the foundation concepts of contract law
- ✓ Understand the difference between domestic and international law

- ✓ Understand the instruments, mechanisms and agents of international law
- ✓ Understand modern treaty law and instruments
- ✓ Be able to analyze and draft an international agreement
- ✓ Understand how international law affects US law

MAIN / REQUIRED TEXT(S):

- Teaching Company lecture in any format (see above) (if required)
- International Law (Malcolm N. Shaw or Antonio Cassese) (SHAW preferred)
- Modern Treaty Law and Practice (Anthony Aust)
- International Law (Carter / Trimble) (Aspen Publishing)
- EUCLID Supplemental CoursePak
 - <http://www.lulu.com/content/5829697>

SUPPLEMENTARY TEXTS OR RESOURCES:

- William R. Slomanson, *Fundamental Perspectives on International Law* (highly recommended)
- <http://home.att.net/~slomansonb/txtcsite.html>
- <http://www.un.org/law/>
- International Law Cases and Materials: Cases and Materials (American Casebook Series) (Hardcover) Lori Fisler Damrosch (Editor) – discuss with instructor before purchasing this book.

RECOMMENDED AFFILIATIONS:

- International Society for International Law

PAPER AND FINAL GRADE:

This course requires the presentation of two 6-14 page paper / legal briefs as assigned by the tutor. One assignment will be an analysis / commentary on a particular instrument of international law.

- ✓ 60% of the final grade is based on the paper.
- ✓ 40% of the final grade is based on the final oral exam / closing interview

STANDARD EUCLID GRADING SCALE:

▪ A+	4.00
▪ A	4.00
▪ A-	3.84
▪ B+	3.33
▪ B	3.00
▪ B-	2.67
▪ C+	2.33
▪ C	2.00
▪ C -	1.67
▪ D+	1.33
▪ D	1.00
▪ F	0.00
