For this course schedule, please refer to the entire semester calendar

Course Outline for “The Law and Practice of the United Nations” 2019

Lecturer: Ms. Alexandra Ivanovic (ivanovic@unu.edu)

TIMING: 2 April 2019 to 28 May 2019 There will be a total of fifteen sessions of 1.5 hours per session with significant reading (estimated at three hours per class) expected in advance of each class.

REQUIRED TEXT: Chesterman, Johnstone, Malone, Law and Practice of the United Nations, 2nd ed. (Oxford University Press, 2016) – two copies are available in the Library and the text is also available for purchase through Amazon and other online retailers. (PLEASE NOTE WE WILL BE WORKING FROM THE 2016 2ND EDITION NOT THE 2008 1ST EDITION)

COURSE DESCRIPTION: The development of the United Nations as shown by interpretations of the Charter in practice.

AIMS & OBJECTIVES: By examining primary materials focused on the normative context within which the United Nations functions, students will develop an understanding of the interaction between law and practice. This is essential to a proper understanding of the UN Organization, but also to the possibilities and limitations of multilateral institutions more generally.

There are no pre-requisites for this course at UNU, but please note in particular the course requirements identified below.

COURSE CREDITS: 2

COURSE REQUIREMENTS

There is no exam in this course which emphasizes broad participation by the students and not the instructor (who will not be lecturing on the topics assigned). Students who expect a lecture course or who are not willing to participate every day orally in class should seek a different course. Students are only expected to read the “required” readings; additional optional readings are only indicated for those who have a deeper interest in a topic but will generally not be the basis of class discussion.

Students’ grades will be based upon:

- Submission of five 1-page reaction papers (no longer than 500 words each) written over the course of the semester in response to the questions presented in the readings (35%). Reaction papers will be due by e-mail by 3:00pm on Monday 8 April, Monday 15 April, Monday 22 April, Monday 13 May, and Thursday 23 May, 2019. Each of the reaction papers will need to focus on one question from the chapter for the following class. The first reaction paper will not count towards the final grade. Each reaction paper will require a minimum of three hours of preparation.
- In-class participation which will account for 30% of the grade.
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- A final paper of 10 pages (double spaced) on a topic agreed with the instructor will account for 35% of the grade. A 1-page outline will need to be cleared with the instructor before drafting proceeds. The final paper will require a minimum of 30 hours of preparation. **The final paper should be submitted by 17:00 hours on Friday 5 July 2019.**

Depending on how conversation in the course evolves, we may adjust what each week’s class will address. As well, please note that we may host one or two relevant guests during the course.

**SCHEDULE**

**Class 1 – Why International Organizations Matter: Perspectives from International Relations and International Legal Theory**

*Required Reading*


*Recommended Reading*


**Class 2 – The UN Charter**

*Required Reading*

Chesterman, Johnstone and Malone – Introduction and Chapter 1

**Class 3 – Hard Cases (Reaction Paper 1 due)**

*Required Reading*

Chesterman, Johnstone, and Malone, Chapter 2

*Recommended Reading*

Report of the Secretary-General, Implementing the Responsibility to Protect [http://www.responsibilitytoprotect.org/files/SGRtoPEng.pdf](http://www.responsibilitytoprotect.org/files/SGRtoPEng.pdf)
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Class 4 – Hard Choices

Required Reading

Development Goals:

Chesterman, Johnstone, and Malone Chapter 3

Class 5 – Legal Status (Reaction Paper 2)

Required Reading

Chesterman, Johnstone, and Malone, Chapter 4

Class 6 – The Secretary-General and the Secretariat

Required Reading

Chesterman, Johnstone and Malone, Chapter 5

Recommended Reading

James Cockayne and David Malone, “Relations with the Security Council” in Secretary or General? (Simon Chesterman ed., 2006).

Ian Johnstone, “The Secretary-General as Norm Entrepreneur”, in Secretary or General? (Simon Chesterman ed., 2006).

Class 7 – Membership & Financing (Reaction Paper 3)

Required Reading

Chesterman, Johnstone, and Malone, Chapters 6 & 7

Class 8 – Counter-terrorism and Non-Proliferation of Nuclear Weapons

Required Reading

Chesterman, Johnstone, and Malone, Chapter 8

Nuclear Non-Proliferation Treaty, available at:

Recommended Reading


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Class 9 – Peace Operations

*Required Reading*

Chesterman, Johnstone, and Malone, Chapter 9

Class 10 – Sanctions

*Required Reading*

Chesterman, Johnstone, and Malone, Chapter 10

*Recommended Reading*

*The Kadi Case:*


Class 11 – Sustainable Development (*Reaction paper 4*)

*Required Reading*

Chesterman, Johnstone, and Malone, Chapter 11

Class 12 – Human Rights and International Criminal Justice

*Required Reading*

*Human Rights:*

Chesterman, Johnstone, and Malone, Chapter 13

*International Criminal Justice:*


Article 16 of the Statute of the International Criminal Court

http://www.icc-cpi.int/nr/rdoonlyres/ea9aef7-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf

Security Council resolution 1593 (31 March 2005) (referral of Darfur situation to the International Criminal Court)

Class 13 – Immunity and Responsibility (*Reaction paper 5*)
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**Required Reading**

Chesterman, Johnstone, and Malone, Chapter 15

**Class 14 – Accountability in Practice**

**Required Reading**

Chesterman, Johnstone, and Malone, Chapter 16

**Recommended Reading**


**Class 15 – Reform**

**Required Reading**

Chesterman, Johnstone, and Malone, Chapter 17

**COURSE ASSESSMENT**

Student performance will be assessed by a combination of continuous assessment, active classroom participation, reflection papers and a final paper as follows:

1. Active participation, reading of required material, participation in class debates and full attendance (30%).
2. Reflection/reaction paper (35%).
3. Final paper (35%)

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