

City University of Hong Kong
Course Syllabus

offered by School of Law
with effect from Semester A 2024/25

Part I Course Overview

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| Course Title: | Public International Law |
| Course Code: | LW5634 |
| Course Duration: | One Semester |
| Credit Units: | 3 |
| Level: | P5 |
| Medium of Instruction: | English |
| Medium of Assessment: | English |
| Prerequisites: <i>(Course Code and Title)</i> | LW5601 Hong Kong Legal System; and LW5622 Legal Methods, Research and Writing; and LW5602A Law of Contract I |
| Precursors: <i>(Course Code and Title)</i> | Nil |
| Equivalent Courses: <i>(Course Code and Title)</i> | LW4634 Public International Law |
| Exclusive Courses: <i>(Course Code and Title)</i> | Nil |

Part II Course Details

1. Abstract

This course aims to:

- provide an introduction to general principles of international law;
- explain the relationship between international law and municipal law and the significance of international law in domestic legal order;
- introduce students to various branches of international law.

2. Course Intended Learning Outcomes (CILOs)

(CILOs state what the student is expected to be able to do at the end of the course according to a given standard of performance.)

| No. | CILOs | Weigh ting | Alignm ent with PILOs | DEC related learning outcomes | | |
|-----|--|---------------|--------------------------------|-------------------------------------|----|----|
| | | | | A1 | A2 | A3 |
| 1. | Understand and evaluate the economic and political background of public international law. | | | | ✓ | |
| 2. | Identify and analyze the aspects that need to be taken into account from a legal and practical point of view when advising governments or international organizations on questions of public international law. | | 1 | | ✓ | |
| 3. | Develop convincing lines of argument in relation to theoretical and practical questions in relation to current problems of public international law. | | 3 | | ✓ | ✓ |
| 4 | Draft and construe international treaties and other relevant legal documents. | | 5 | ✓ | ✓ | ✓ |
| 5 | Negotiate related issues with other parties. | | 4 | ✓ | ✓ | ✓ |
| 6 | Prepare opinions, tender advice or recommending action (orally or in writing) in respect to legal issues concerning public international law. | | 5 | | ✓ | ✓ |
| 7 | Explain and communicate , both orally and in writing, the substantive rules of public international law clearly, coherently and in plain language. | | 5 | ✓ | ✓ | ✓ |
| | | 100% | | | | |

A1: *Attitude: Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.*

A2: *Ability: Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to real-life problems.*

A3: *Accomplishments: Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.*

3. Learning and Teaching Activities (LTAs)

(LTAs designed to facilitate students' achievement of the CILOs.)

| LTA | Brief Description | CILO No. | | | | | | | Hours/ week |
|------------------------|---|----------|---|---|---|---|---|---|---------------------|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | |
| Lecture | Students will be introduced to and have explained to them in plain language the key concepts, theoretical bases, issues, objectives and practical application in respect of specific topics. Students will also be encouraged to ask questions of matters which they do not understand. | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 3 hours/ week |
| Case Discussion | Using Socratic method instructor will teach cases to students. Students will respond/discuss cases that will check and reinforce students' understanding and ability to evaluate the key concepts, theoretical basis, issues, objectives and practical application in respect of specific topics. | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |

4. Assessment Tasks/Activities (ATs)

(ATs are designed to assess how well the students achieve the CILOs.)

| Assessment Tasks/Activities | CILO No. | | | | | | | Weigh ting | Remarks |
|--|----------|---|---|---|---|---|---|---------------|---------|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | | |
| Continuous Assessment: 30% | | | | | | | | | |
| Weekly Case Presentation: Students will participate in weekly case discussions. This will enable students to understand and orally communicate substantive rules that were created in the cases. The written submission will further enhance the student's ability to coherently explain the created rules in writing. | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 30% | |
| Examination: 70% (duration: 3 hours) | | | | | | | | | |
| Final Examination (Open Book) This is in the form of problem questions and case studies. This will enable each student's ability to explain and communicate substantive rules of public international law <i>in writing</i> clearly, coherently and in plain language to be assessed. | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | 70% | |
| | | | | | | | | 100% | |

The use of Generative AI tools is not allowed.

Grading of Student Achievement: Standard (A+, A, A-...F). Grading is based on student performance in assessment tasks/activities.

Applicable to students admitted from Semester A 2022/23 to Summer Term 2024

To pass this course students must obtain an aggregate mark of 50% and a minimum of 50% in the continuous assessment (CA) (including coursework and class participation) and the final examination.

Applicable to students admitted before Semester A 2022/23 and in Semester A 2024/25 and thereafter

To pass this course students must obtain an aggregate mark of 40% and a minimum of 40% in the continuous assessment (CA) (including coursework and class participation) and the final examination.

To ensure fair and comprehensive assessment of students' course performance, the pass mark requirement for the CA component will be waived for courses with a CA component equal to or less than 30%. This means students only need to achieve the pass marks for the final exam component AND the overall mark to pass the course. Continuous assessment for this purpose means those ways in which students are assessed otherwise than by the end of semester examination.

The duration of the final open book examination may be 3 hours.

The portion of the overall mark allocated to performance during in class activities will be assessed on the quality of the participation.

To enable the full benefit to be obtained from this course, students should attend all of the classes and activities.

Assessment will be formative to enable students to demonstrate their capacity to understand, analyse and apply rules and principles and summative to assess ability to synthesise primary and secondary material to solve novel problems.

5. Assessment Rubrics

(Grading of student achievements is based on student performance in assessment tasks/activities with the following rubrics.)

Applicable to students admitted from Semester A 2022/23 to Summer Term 2024

| Assessment Task | Criterion | Excellent (A+, A, A-) | Good (B+, B) | Marginal (B-, C+, C) | Failure (F) |
|---|---|--------------------------|-----------------|-------------------------|----------------|
| 1. Coursework: (Weekly Case Presentation) | Demonstration of understanding of concepts, principles, and theories. Demonstration of ability to identify legal issues. Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon. Application of legal writing and research skills. Demonstration of ability to engage in argument-based analysis based on critical thinking. Demonstration of aptitude for formulating innovative solutions to designated fact-based questions. | High | Significant | Moderate | Inadequate |
| 2. Examination | Demonstration of understanding of concepts, principles, and theories. Demonstration of ability to identify legal issues. Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon. Application of legal writing and research skills. Demonstration of ability to engage in argument-based analysis based on critical thinking. Demonstration of aptitude for formulating innovative solutions to designated fact-based questions. | High | Significant | Moderate | Inadequate |

Applicable to students admitted before Semester A 2022/23 and in Semester A 2024/25 and thereafter

| Assessment Task | Criterion | Excellent (A+, A, A-) | Good (B+, B, B-) | Fair (C+, C, C-) | Marginal (D) | Failure (F) |
|--|---|--|---|---|--|---|
| 1. Coursework (Weekly Case Presentation) | Demonstration of understanding of concepts, principles, and theories. Demonstration of ability to identify legal issues. Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon. Application of legal writing and research skills. Demonstration of ability to engage in argument-based analysis based on critical thinking. Demonstration of aptitude for formulating innovative solutions to designated fact-based questions. | Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base. | Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature. | Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material. | Sufficient familiarity with the subject matter to enable the student to progress without repeating the course. | Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature. |
| 2. Examination | Demonstration of understanding of concepts, principles, and theories. Demonstration of ability to identify legal issues. Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon. Application of legal writing and research skills. Demonstration of ability to engage in argument-based analysis based on critical thinking. Demonstration of aptitude for formulating innovative solutions to designated fact-based questions. | Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base. | Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature. | Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material. | Sufficient familiarity with the subject matter to enable the student to progress without repeating the course. | Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature. |

Part III Other Information (more details can be provided separately in the teaching plan)

1. Keyword Syllabus

(An indication of the key topics of the course.)

Keywords:

Introduction to international law; history of international law; sources of international law; subjects of international law; international law and national law, law of treaties; international organizations, United Nations; Basic principles of inter-State relations; Territory; settlement of international disputes; use of force; international human rights and humanitarian law; international water law economic and financial law; the future of international law. State responsibility.

2. Reading List

| Book | Print version | Online version |
|---|---|------------------------------|
| 8.1 RECOMMENDED READING | | |
| 1. Crawford, J., & Brownlie, I. (2019). <i>Brownlie's principles of public international law</i> . (Ninth edition / by James Crawford.). Oxford: Oxford University Press. | 1 copy in library [Library record] | Online version not available |
| 2. Shaw, M. N. (2021). <i>International law</i> (Eighth edition.). Cambridge, United Kingdom: Cambridge University Press. | 1 copy in library [Library record] | Online version not available |
| 3. Martin Dixon, <i>Textbook on international law</i> , Oxford: Oxford University Press, 7th ed. 2013. | 2 copies in library [Library record] | Online version not available |
| 4. Stephen Hall, (2019). <i>Principles of international law</i> (Sixth edition.). Chatswood, N.S.W.: LexisNexis Butterworths. | 1 copy in library [Library record] 7th ed 2022 available. See the web page, https://store.lexisnexis.com.au/products/principles-of-international-law-7th-edition-skuprinciples_of_international_law_7th_edition . We will acquire it. | Online version not available |

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| 5. | Malcolm D. Evans (ed.), (2018). International law (Fifth edition). Oxford: Oxford University Press. | 1 copy in library [Library record] | Online version not available |
| 6. | Martin Dixon / Robert McCorquodale, Cases and materials on international law, Oxford: Oxford University Press, 6th ed. 2016. | 1 copy in library [Library record] | Online version not available |
| 7. | G.Robertson, Crimes against Humanity: The Struggle for Global Justice, London: Penguin Books, 4th ed. 2012. | 1 copy in library [Library record] | Online version not available |
| 8. | Rhona K. M. Smith, International human rights law, Oxford: Oxford University Press, 10th ed. 2022. | 1 copy in library [Library record] | Online version not available |
| 9. | L. Mälksoo, Illegal Annexation and State Continuity: The Case of the Incorporation of Baltic States by the USSR A Study of the Tension between and Normatively and Power in International Law, Leiden, and Boston: Martinus Nijhoff, 2003. | Print version not available | 1 ebook in library • • Full text available at: EBSCOhost Ebooks [Library record] |

General Reading

Journals

American Journal of International Law
Harvard International Law Journal
International and Comparative Law Quarterly
British Yearbook of International Law
European Journal of International Law
Chinese Journal of International Law
Journal of East Asia and International Law
Netherlands International Law Review
Yale Journal of International Law

Online Resources

“United Nations” <http://www.un.org/en/index.html>
“Journal of the United Nations” <http://www.un.org/en/documents/journal.asp>
“United Nations Treaty Collection” <https://treaties.un.org/>

Other reading materials

Other reading materials will be recommended by the course leader in the lectures, where appropriate.