International Courts and Tribunals: An Introduction
LAWG-416, Fall 2016
5:45 pm - 7:45 pm – McDonough 110

Lee M. Caplan, [Redacted] Patrick W. Pearsall, [Redacted]

This course explores the rules, practice, and jurisprudence of various international courts and tribunals. We will review key commonalities and differences with a view to better understanding and evaluating current and possible future courts and tribunals.

Evaluation is based on class participation (20%) and a 10-page essay due at the end of the course (80%).

Required reading: Chiara Giorgetti ed., The Rules, Practice, and Jurisprudence of International Courts and Tribunals (2012). The book is available in the bookstore and also on reserve at the library. Other material will be distributed in class or by email.

Office hours are after class and by appointment.

August 31: Introduction
- Overview of the course, requirements, history, themes.
- Reading: Merrills, “The Place of International Litigation in International Law”; Hudson, International Tribunals: Past and Future (1944), Chapters 1-2 (skim)

September 7: No Class

September 14: Diplomacy, Negotiations, and Advocacy
- Reading: Case Study Packet: “Selecting a Director for the Inter-American Tropical Tuna Commission”

September 21: Claims/Compensation Commissions
- Reading Giorgetti Chapters 17 (Feighery) and 18 (Sharpe)
- Deadline for submitting proposals for paper

September 28: International Commercial Arbitration Tribunals
- Reading: As distributed

October 5: ITLOS
- Reading: Giorgetti Chapter 4 (Boisson de Chazournes)

October 12: Investor-State Tribunals
- Giorgetti Chapter 3 (Lamm et al.); Giorgetti Chapters 15-16 (skim)

October 19: WTO
- Reading: Giorgetti Chapter 5 (Spak)
October 26: Human Rights Courts
  • Reading: Giorgetti Chapter 11 (Bourloyannis-Vrailas); Giorgetti Chapters 12-13 (skim)

November 2: International Criminal Tribunals
  • Reading: Giorgetti Chapter 7 (Stewart); Giorgetti Chapters 8-10 (skim)

November 16: Permanent Court of Arbitration
  • Reading: Giorgetti Chapter 2 (Daly)

November 23: International Court of Justice
  • Reading: Giorgetti Chapter 1 (Murphy)

November 30:
  • Present papers
  • Class evaluations