

## Diplomatic Law and Multilateral Negotiations (B001695)

**Course size** *(nominal values; actual values may depend on programme)*

**Credits 6.0**

**Study time 180 h**

### Course offerings and teaching methods in academic year 2023-2024

A (semester 1)	English	Gent	seminar	10.0h
			lecture	8.75h
			practical	16.25h

### Lecturers in academic year 2023-2024

Duquet, Sanderijn	RE22	staff member
Soete, Anemoon	RE22	lecturer-in-charge
Verbeke, Johan	RE22	co-lecturer

### Offered in the following programmes in 2023-2024

	crdts	offering
<a href="#">Master of Science in Teaching in Social Sciences(main subject Laws)</a>	6	A
<a href="#">Master of Laws in Laws</a>	6	A
<a href="#">Master of Laws in International and European Law(main subject European Union Law)</a>	6	A
<a href="#">Master of Laws in International and European Law(main subject International and Human Rights Law)</a>	6	A
<a href="#">Master of Laws in International and European Law(main subject International and National Legal Orders)</a>	6	A
<a href="#">Exchange Programme in Law</a>	6	A

### Teaching languages

English

### Keywords

Diplomatic law, consular law, multilateral negotiations

### Position of the course

This course has four objectives:

- 1 to provide an insight into the rules and principles of diplomatic and consular law;
- 2 to develop negotiation skills and to argue and anticipate within the framework of an imposed negotiation mandate in the context of the United Nations;
- 3 to stimulate the interest of students for a career in diplomacy;
- 4 to make students aware of the different positions of countries (eg developed countries vs developing countries) during multilateral negotiations.

### Contents

This course contains three parts:

1. an overview of the principles and valid rules of diplomatic and consular law as codified in the Conventions of Vienna (1961 & 1963) and relevant case law.
2. an introduction to diplomatic practice and to diplomatic and negotiating skills
3. training diplomatic skills through an interactive simulation of multilateral diplomatic negotiations. Throughout these exercise students are made aware of their simulated responsibility to achieve a consensus e.g. in the context of climate change negotiations, or in process of negotiating a UN Security Council resolution.
- 3.a Students participating in the VVN Model United Nations – MUN, which is a simulation of the UN Security Council, organised by UNA Belgium Flanders, are selected in interviews at the beginning of the academic year. They follow a different path of negotiations and will be coached and trained separately, with the aim to participate in this interuniversity MUN in Brussels. These negotiation sessions last for three consecutive days. Students are expected to

cooperate together intensively.

3.b. Students that do not take part in the Model UN will participate in an alternative simulation of intergovernmental negotiations, whereby they will be divided in smaller teams to represent their State(s) and defend its positions. In previous years, the simulation focussed on climate change negotiations (simulation of the adoption of the Paris Climate Agreement), yet the simulation can equally focus on other topics of timely relevance.

#### **Initial competences**

- Basic knowledge of public international law and international politics.
- Communication skills.
- To be prepared to co-operate with fellow students.
- Sound English (oral) language skills

#### **Final competences**

- 1 To have knowledge of the main rules and principles of diplomatic and consular law.
- 2 To have the ability to analyse diplomatic and consular situations and to apply the rules and principles to specific cases.
- 3 To be able to analyse judicial sources, negotiation documents and assert the difference between issues of major and minor importance.
- 4 To have an insight in the process of multilateral negotiations ("rules of the game").
- 5 To master basic negotiation skills and strategies.
- 6 To work together with fellow students as a team to achieve a common strategy and a negotiation result.
- 7 To defend a position of a particular country and to argue in a diplomatic and strategic framework.
- 8 Be aware and having an interest for the diversity of cultures, as can be witnessed in the positions of various countries represented.

#### **Conditions for credit contract**

Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

#### **Conditions for exam contract**

This course unit cannot be taken via an exam contract

#### **Teaching methods**

Seminar, Lecture, Practical

#### **Extra information on the teaching methods**

**Series of (guest) lectures** on diplomatic and consular law, diplomatic practice, negotiating skills

**Series of tutorials** - general instructions on negotiations + general and individual assistance in studying the negotiation documents + intensive coaching and training of rules of the game and diplomatic skills, both individual as per negotiating group + a series of simulations of multilateral diplomatic conferences (negotiation sessions) with particular attention for different positions of developed and developing states.

**Coached exercises** intensive training of the rules of procedure (ROP) of the UN Security Council for VVN MUN negotiators.

#### **Learning materials and price**

Estimated cost: 0 EUR

- Part 1 course text: compulsory/recommended reading will be post on Ufora ahead of relevant classes
- Part 2: instructions to negotiate and basic documents necessary to simulate the negotiations are distributed via Ufora. Separate Group documents are uploaded on Ufora for the specific groups and some documents are sent by e-mail or photocopy (individual country documents). Language is English.
- Diplomatic Skills – The Basics (Academic and Scientific Publishers, Brussels, 2022)
- Part 1 and 2 are supported by power point presentations that can be downloaded via Ufora.
- Additional costs for 12 students participating in the VVNMUN in Brussels (Thursday evening until Sunday noon): € 65 housing in youth hostel in Brussels; € 30 train ticket Gent-Brussel-Gent.

#### **References**

- SALMON, J., Manuel de droit diplomatique, Bruxelles, Bruylant, 1994, 678.
  - Lord GORE-BOOTH (Ed), Satow's Guide to Diplomatic Practice, London, Longman, 1995,
- (Approved)

544.

- BARSTON, R.P., Modern Diplomacy, London, Longman, 1997, 308.
- BOISARD, M.A. & CHOSSUDOVSKY, E.M. (Eds.), Multilateral Diplomacy. The United Nations System at Geneva. A Working Guide, The Hague, Kluwer Law International, 1998, 504.
- DENZA, E., Diplomatic Law. Commentary on the Vienna Convention on Diplomatic Relations, Oxford, Clarendon Press, 2nd ed., 1998, 451.
- MELISSEN, J. (red), Diplomatie. Raderwerk van de internationale politiek, Van Gorcum, 1999, 246.
- MAES, F., Diplomatic law and multilateral negotiations (in Dutch), Universiteit Gent, 171 p. (2022)
- VERBEKE, J. Diplomatic Skills. The Basics, Academic and Scientific Publishers, 222
- VERBEKE, J. Diplomacy in Practice. A Critical Approach, Routledge, 2023
- DUQUET, S. EU Diplomatic Law, OUP, 2022

#### **Course content-related study coaching**

- The power points and negotiation documents for this course are shared through Ufora.
- Personal coaching of students or groups after an appointment through e- mail.
- Support and coaching by lecturer and assistant in the preparation of the negotiations (part 2). Each group has a different coach/assistant to support them, to answer their questions, to help students to organize their internal group meetings if necessary, to discuss strategic options, ... Maximum use of Ufora in distributing Power Points, negotiation files, intermediary negotiation texts, ...
- Appointments per groups are made through Ufora.
- individual appointments are made by email
- Examples of examination questions.

#### **Assessment moments**

end-of-term and continuous assessment

#### **Examination methods in case of periodic assessment during the first examination period**

Written assessment

#### **Examination methods in case of periodic assessment during the second examination period**

Written assessment

#### **Examination methods in case of permanent assessment**

Professional practice, Participation, Assignment

#### **Possibilities of retake in case of permanent assessment**

examination during the second examination period is possible

#### **Extra information on the examination methods**

Periodic: written exam, consisting of open questions.

Continuous assessment is divided in 50% (5 points) performance of the groups position (preparation, cohesion of the position of the group, content, negotiating strategy, mandate, argumentation, ...) and 50% (5 points) individual performance per student (knowledge file, argumentation, use of language, strategy, flexibility, active participation, alertness ...) during negotiation sessions.

#### **Calculation of the examination mark**

This is a combination of periodic (50%) and continuous (50%) evaluation. Students who do not participate in all evaluations achieve maximum 7/20 for this course.

If students have failed in the continuous evaluation, a second chance between the first and second examination period will be given. In this case they have to write a paper on a topic of diplomatic law. The choice of topic needs approval by the lecturer.

#### **Facilities for Working Students**

no