LAWS5019

International Human Rights Law

Session 1, Online-scheduled-weekday 2024

Macquarie Law School

Contents

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General Information

Unit convenor and teaching staff
Convenor and Lecturer
Amy Barrow
amy.barrow@mq.edu.au
Contact via Contact via iLearn
Office 215, Michael Kirby Building, 17 Wally's Walk
See iLearn for details

Credit points
10

Prerequisites
(130cp in LAW or LAWS units) or (130cp including LAWS259 or LAWS2000)

Corequisites

Co-badged status

Unit description
This unit addresses the fundamental and dynamic issue of the protection of human rights in international law. The unit traces the historical development of human rights law at national, regional and global levels. The unit considers the theoretical frameworks for analysing the rights of individuals and groups and the duties of states to protect those rights. It considers the strengths and limitations of the institutions and mechanisms in place to protect and promote rights in practice. The unit includes consideration of the cross-cultural dimensions and other tensions inherent in this area of international law, with a focus on contemporary challenges for international human rights law.

Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at https://www.mq.edu.au/study/calendar-of-dates

Learning Outcomes

On successful completion of this unit, you will be able to:

ULO1: demonstrate, both orally and in writing, an understanding of the foundations and evolution of the international human rights law system — within the broader international law framework — and the resulting strengths and weaknesses of the system.

ULO2: evaluate and compare, both orally and in writing, the mechanisms available for

monitoring and enforcing human rights standards in different international and regional systems.

ULO3: engage constructively with various critiques and theories of human rights — for example, whether rights are universal or particular — and be able to critically discuss, both orally and in writing, the significance of those approaches in the development, interpretation and operation of international human rights law.

ULO4: reflect on past and present international developments, both orally and in writing, and be able to analyse, interpret and explain such developments from an international human rights law perspective.

General Assessment Information

Academic Honesty

Students should be aware of and apply the University policy on academic honesty.

Late Assessment Submission Penalty

Unless a Special Consideration request has been submitted and approved, a 5% penalty (of the total possible mark) will be applied each day a written assessment is not submitted, up until the 7th day (including weekends). After the 7th day, a mark of, 0 (zero) will be awarded even if the assessment is submitted. Submission time for all written assessments is set at 11.55pm. A 1-hour grace period is provided to students who experience a technical issue.

This late penalty will apply to non-timed sensitive assessment (incl essays, reports, posters, portfolios, journals, recordings etc). Late submission of time sensitive tasks (such as tests/ exams, performance assessments/presentations, scheduled practical assessments/labs etc) will only be addressed by the unit convenor in a Special consideration application. Special Consideration outcome may result in a new question or topic.

Submission

All written assessments in the unit are to be submitted electronically by way of Turnitin on the iLearn page. Plagiarism detection software is used in this unit to check all written assessments.

Students should carefully check that they submit the correct file for an assessment as no re-submissions will be accepted after the due date and time, including instances where students upload an incorrect file in error.

Format

All assessment tasks in this unit must be typed in **Word format** and be **double spaced** to facilitate marking in Turnitin.

Word Limits

Word limits are strictly applied. Work above the word limit will not be marked. Footnotes are to be used only for referencing. Referencing must conform to the requirements set out in the Australian Guide to Legal Citation.

Moderation

Detailed marking rubrics will be made available on iLearn. In addition, tutors will be provided with detailed marking guides to ensure consistency. Assessed work will be moderated and all fail papers will be double marked.

Assessment Tasks

Name	Weighting	Hurdle	Due
Facilitation and Participation	20%	No	Ongoing; Due Week 13, 31/05/2024
Research Essay	40%	No	Week 9; 29/04/2024
Final Take Home Test	40%	No	Exam period; 05/06/2024

Facilitation and Participation

Assessment Type [1]: Participatory task
Indicative Time on Task [2]: 0 hours
Due: **Ongoing; Due Week 13, 31/05/2024**
Weighting: **20%**

Students will be required to facilitate and participate in weekly discussions, problem solving tasks or debates, both individually and in teams according to allocations made by teaching staff.

On successful completion you will be able to:
- demonstrate, both orally and in writing, an understanding of the foundations and evolution of the international human rights law system — within the broader international law framework — and the resulting strengths and weaknesses of the system.
- evaluate and compare, both orally and in writing, the mechanisms available for monitoring and enforcing human rights standards in different international and regional systems.
- engage constructively with various critiques and theories of human rights — for example, whether rights are universal or particular — and be able to critically discuss, both orally and in writing, the significance of those approaches in the development, interpretation and operation of international human rights law.
- reflect on past and present international developments, both orally and in writing, and be able to analyse, interpret and explain such developments from an international human rights law perspective.

Research Essay

Assessment Type [1]: Essay
Indicative Time on Task [2]: 27 hours
Due: **Week 9; 29/04/2024**
Weighting: **40%**

Students are required to submit an essay in response to a choice of questions, which will test their ability to exercise autonomy in their research and writing.

On successful completion you will be able to:
- demonstrate, both orally and in writing, an understanding of the foundations and evolution of the international human rights law system — within the broader international law framework — and the resulting strengths and weaknesses of the system.
- evaluate and compare, both orally and in writing, the mechanisms available for monitoring and enforcing human rights standards in different international and regional systems.
- engage constructively with various critiques and theories of human rights — for example, whether rights are universal or particular — and be able to critically discuss, both orally and in writing, the significance of those approaches in the development, interpretation and operation of international human rights law.
- reflect on past and present international developments, both orally and in writing, and be able to analyse, interpret and explain such developments from an international human rights law perspective.

Final Take Home Test

Assessment Type [1]: Quiz/Test
Indicative Time on Task [2]: 3 hours
Due: **Exam period; 05/06/2024**
Weighting: **40%**

Students are required to complete a final take home test comprising short answer and essay questions. The questions and essay topics may be drawn from any part of the course, including the tutorial material. This is a timed assessment and no late submissions will be accepted.

On successful completion you will be able to:

- demonstrate, both orally and in writing, an understanding of the foundations and evolution of the international human rights law system — within the broader international law framework — and the resulting strengths and weaknesses of the system.
- evaluate and compare, both orally and in writing, the mechanisms available for monitoring and enforcing human rights standards in different international and regional systems.
- engage constructively with various critiques and theories of human rights — for example, whether rights are universal or particular — and be able to critically discuss, both orally and in writing, the significance of those approaches in the development, interpretation and operation of international human rights law.
- reflect on past and present international developments, both orally and in writing, and be able to analyse, interpret and explain such developments from an international human rights law perspective.

[1] If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the Writing Centre for academic skills support.

[2] Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

Delivery and Resources

Technology used and required

To participate successfully in this unit, students will require access to the unit iLearn page. This will require access to secure and reliable computer facilities. Students will be required to upload all assessment tasks by way of Turnitin on the unit iLearn page. Students taking the unit online are required to have access to computer facilities with a camera and microphone.

Delivery

The unit will be delivered as a series of weekly online lectures (two-hours in total) running from Week 1 until Week 13, which will be recorded and uploaded to Echo360. It is important that you listen to the lectures every week for guidance on content and how best to approach the various assessment items. The unit will include a series of weekly one hour interactive tutorials running from Week 1 to Week 13 and attendance at at least 10 of these is compulsory. Tutorials are delivered either face to face or online (please check the timetable to confirm whether the scheduled tutorial is delivered face to face or online). For students taking the unit fully online, you will be required to have your camera on for the duration of each tutorial. If your camera is not on,

you will be marked as absent for that tutorial.

Unit materials

You are required to have access to the prescribed text for this unit, as there will be readings set from each text almost every week. The prescribed text is::

- D Moeckli, S Shah and S Sivakumaran (eds), *International Human Rights Law* (Oxford University Press, 4th ed, 2022).

Preparatory readings

In preparation for this unit, you should read the following material from the prescribed textbook to refresh your understanding of basic international law sources and principles:

- Christine Chinkin, Chapter 4 'Sources' in D Moeckli, S Shah and S Sivakumaran (eds), *International Human Rights Law* (Oxford University Press, 4th ed, 2022).

Unit Schedule

A detailed weekly schedule will be provided on the unit iLearn page.

Policies and Procedures

Macquarie University policies and procedures are accessible from Policy Central (https://policies.mq.edu.au). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- Academic Appeals Policy
- Academic Integrity Policy
- Academic Progression Policy
- Assessment Policy
- Fitness to Practice Procedure
- Assessment Procedure
- Complaints Resolution Procedure for Students and Members of the Public
- Special Consideration Policy

Students seeking more policy resources can visit Student Policies (https://students.mq.edu.au/support/study/policies). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

To find other policies relating to Teaching and Learning, visit Policy Central (https://policies.mq.edu.au) and use the search tool.

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: https://students.mq.edu.au/admin/other-resources/student-conduct

Results

Results published on platform other than eStudent, (eg. iLearn, Coursera etc.) or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in eStudent. For more information visit ask.mq.edu.au or if you are a Global MBA student contact globalmba.support@mq.edu.au

Academic Integrity

At Macquarie, we believe academic integrity – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free online writing and maths support, academic skills development and wellbeing consultations.

Student Support

Macquarie University provides a range of support services for students. For details, visit http://students.mq.edu.au/support/

The Writing Centre

The Writing Centre provides resources to develop your English language proficiency, academic writing, and communication skills.

- Workshops
- Chat with a WriteWISE peer writing leader
- Access StudyWISE
- Upload an assignment to Studiosity
- Complete the Academic Integrity Module

The Library provides online and face to face support to help you find and use relevant information resources.

- Subject and Research Guides
- Ask a Librarian

Student Services and Support

Macquarie University offers a range of Student Support Services including:

- IT Support
- Accessibility and disability support with study
- Mental health support
- Safety support to respond to bullying, harassment, sexual harassment and sexual assault

- Social support including information about finances, tenancy and legal issues
- Student Advocacy provides independent advice on MQ policies, procedures, and processes

Student Enquiries

Got a question? Ask us via AskMQ, or contact Service Connect.

IT Help

For help with University computer systems and technology, visit http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/.

When using the University's IT, you must adhere to the Acceptable Use of IT Resources Policy. The policy applies to all who connect to the MQ network including students.

Changes since First Published

Date	Description
23/01/2024	Typo in assessment date for Research Essay. Corrected to 29/04/2024.

Unit information based on version 2024.03 of the Handbook