



LAWS601

International Law

S1 External 2015

Dept of Law

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General Information

Unit convenor and teaching staff

Unit Convenor

Roy Baker

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Contact via By email

W3A 509

See iLearn page

Credit points

4

Prerequisites

Admission to JD or GradDipLaw or GradCertLaw

Corequisites

LAWS600

Co-badged status

Unit description

International Law affords an understanding of legal principles, rules, norms, and practices. The unit analyses the contribution of these elements to the progressive development of international law. The theory is applied to contemporary international events and crises to test and evaluate its operational adequacy and effectiveness in keeping pace with the changing nature and shared expectation of the international community. The unit examines the ongoing transformation of the structure of international law in terms of its expanding frontiers, new actors, and reorientation to appreciate its continuing dynamism and relevance in the twenty-first century.

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:

1. Articulate and critique the general characteristics and principles of public international law.
2. Identify, find and correctly cite key primary sources of international law.

3. Explain and critique how treaties are formed and enforced, the nature of reservations and basic rules of treaty interpretation.
4. Analyse and critique the relationship between international and national law, particularly Australian law.
5. Explain and critique state sovereignty, state recognition and legal personality in international law.
6. Analyse and critique the extent to which a state can be held to account for the actions of its officers, citizens and corporations, as well as states' obligations towards foreign nationals.
7. Articulate and critique basic principles of state jurisdiction, as well as sovereign, diplomatic and consular immunity.
8. Analyse and critique various means for the non-violent settlement of disputes between states.
9. Explain and critique the right of states to use armed force, as well as the UN system of collective security.
10. Explain and critique the basic rules of international criminal law and the working of some international criminal tribunals.

General Assessment Information

In order to pass this unit students need to attain an aggregate of at least 50 marks garnered from the following:

1. **summative quizzes (worth 24 marks in total);**
 - **In the case of students in Group 1, the summative quizzes consist of Quizzes A to M (inclusive).**
 - **In the case of students in Group 2, the summative quizzes consist of Quizzes X to Z (inclusive).**
2. **Problem Question 1 (worth 25 marks);**
3. **Problem Question 2 (worth 25 marks);**
4. **the final on-line examination (worth 26 marks).**

The assessment scheme in this unit requires students to engage with the unit's entire syllabus, rather than just study a few out of the twelve topics. To stand any real chance of getting anything better than a bare pass, you are going to have to engage adequately with the summative quizzes. Doing well in these will make all the difference to your final grade.

Summative Quizzes (Quizzes A to M or X to Z)

External students may elect to join Group 1 or Group 2, depending on whether they prefer to be assessed by means of weekly summative quizzes or by means of three periodic summative

quizzes. *Summative quizzes serve not only to further advance student learning but also to test their understanding of the issues being studied.*

Group 1 students will attempt 12 weekly summative quizzes referred to as Quizzes A to M. These are the same quizzes as will be attempted by internal students. The deadline for each quiz is set out in the Unit Schedule: put simply, one quiz is due each Sunday evening (apart from Quiz H, which falls on a Monday evening). Each quiz consists of two questions, making 24 questions in total. Generally speaking, the first question in each quiz will focus on the issues looked at in previous topics, while the second question will tend to relate to the present topic. The questions will become available to students once they have successfully completed all on-line activities relating to that week's topic.

Group 2 students will attempt just three summative quizzes (instead of Quizzes A to M). These will be known as Quizzes X, Y and Z. The questions making up these quizzes will be different to the ones that make up Quizzes A to M. The deadlines for Quizzes X, Y and Z are as follows:

- Quiz X: 11 pm, 20 March 2015
- Quiz Y: 11 pm, 1 May 2015
- Quiz Z: 11 pm, 31 May 2015

Quiz X will consist of six questions and will relate to Topics 1 – 5 (inclusive). Quiz Y will consist of eight questions and will relate to Topics 1 – 9 (inclusive). Quiz Z will consist of ten questions and will relate to Topics 1 – 12 (inclusive). There will therefore be 24 questions in total, the same number of questions as in Quizzes A to M.

In the case of Groups 1 and 2 each quiz question will be worth one mark. The quizzes will be conducted using iLearn and students must post their responses via iLearn. Most questions will follow a multiple choice format, with students being required to select the best out of a range of possible answers. However, students will also be required to write a short statement justifying their choice of answer.

Marks will be awarded in relation to each quiz question as follows:

- | | |
|--|--------|
| • Correct answer selected and adequate justification given: | 1 mark |
| • Correct answer selected but no adequate justification given: | 0 mark |
| • Incorrect answer selected but adequate justification given: | 1 mark |
| • Incorrect answer selected and no adequate justification given: | 0 mark |

A justification will be deemed adequate only if it fulfils all of the following criteria:

- it displays a sound understanding of the relevant information and concepts covered in the lectures and/or readings;
- it displays an ability to correctly apply that material in answering the question;
- if an answer other than the convenor's preferred answer has been selected then it offers sufficient explanation as to why the selected answer is as good as or better than the convenor's preferred answer;

- it does not exceed 100 words in length, and
- it is provided as part of the student's on-line response to the quiz (ie not as a separate email, etc).

Guidance on writing succinct justifications, as well as examples of what will be deemed adequate and inadequate, can be found in the document entitled Guide to Answering Summative Quiz Questions, which can be found on iLearn.

Unlike with formative quizzes, in the case of summative quizzes students only have one opportunity to submit and justify their answers. Once submitted, neither the answer nor the justification can be amended or supplemented.

The Group 2 assessment scheme is intended for external students who find it difficult to commit to undertaking the same amount of study each week. Even so, students are encouraged to join Group 1 if at all possible. Group 1 assessment is preferable for the following reasons:

1. It is in the student's interest to study consistently throughout the session. Group 1 assessment encourages this.
2. The answers to Quizzes A to M will be released on a weekly basis, meaning that commencing Week 2 you will develop an idea of how you are progressing in the unit. The answers and accompanying feedback will also develop your learning from the outset. The answers to Quizzes X to Z will only be released periodically.

Since Group 1 is considered the preferred option then all students will start out in that group. It is incumbent on students to notify me by email if they wish to transfer to Group 2. This must be done by 11 pm on Sunday, 1 March 2015. Failure to notify me by that time will result in you remaining in Group 1 (the default setting). Once students have notified me of their wish to transfer to Group 2 then they will be barred from attempting Quizzes A to M (unless notified otherwise). I cannot accept any transfers from Group 1 to Group 2 (or vice versa) after 11 pm on Sunday, 1 March.

Answers to each quiz will be released on iLearn immediately after its deadline, along with additional feedback via a pdf document posted to iLearn. For that reason, under no circumstances can an extension be granted for submission of answers.

Although you will know whether you have a question right immediately after the deadline, you will not know whether you have gained a mark until the justifications have been manually graded. This will be done shortly after the quiz deadline and students will be notified of the results online as soon as possible thereafter. If you wish to challenge a mark then this must be done by email to the convenor within 72 hours of the release of the marks relating to the relevant quiz.

At the end of each quiz, students will be asked to enter into a box a question or comment you would like discussed at the corresponding on-campus session. This question or comment does not form part of the quiz.

You are encouraged to ask honest questions or make honest comments. Ask what you genuinely want to know or say what you really think. There are no points to be gained by asking

‘smart’ questions or making ‘clever’ comments. You will not be penalised if your question or comment reveals that you are having difficulty understanding the material studied in this unit, nor will you be criticised for asking ‘dumb’ questions.

Problem Question 1

Date for release of question: 8 am, Friday 3 April 2015 (start of recess)

Deadline for student submission: 11 pm, Sunday 19 April 2015 (end of recess)

Students will write a 2,000-word answer in relation to a hypothetical situation. Guidance on how to succeed in relation to the mid-Session assignment, along with the marking rubric, will be posted online at the time of the question’s release. The assignment will relate to issues covered in Topics 1 – 5 (inclusive).

Problem Question 2

Date for release of question: 8 am, Saturday 16 May 2015 (end of Week 10)

Deadline for student submission: 11 pm, Sunday 24 April 2015 (end of Week 11)

Students will write a 2,000-word answer in relation to a hypothetical situation. Guidance on how to succeed in relation to the mid-Session assignment, along with the marking rubric, will be posted online at the time of the question’s release. The assignment will relate to issues covered in Topics 1 – 9 (inclusive).

Final examination

Date for release of exam question: 9 am, Monday 15 June 2015

Deadline for student submission: 1 pm, Monday 15 June 2015

There will be a take-home examination lasting four hours. Guidance on how to succeed in the final examination, along with the marking rubric, will be posted online at least one week prior to the exam’s release. The final examination may relate to issues covered in any part of the unit.

Assessment Tasks

Name	Weighting	Due
<u>Formative quizzes</u>	0%	11 pm, Sunday 14 June 2015
<u>Summative quizzes</u>	24%	Various
<u>Problem Question 1</u>	25%	11 pm, 19 April 2015
<u>Problem Question 2</u>	25%	11 pm, 24 May 2015
<u>Final examination</u>	26%	9 am – 1 pm, 15 June 2015

Formative quizzes

Due: **11 pm, Sunday 14 June 2015**

Weighting: **0%**

Online quizzes and other activities that aim to support student learning

On successful completion you will be able to:

- 1. Articulate and critique the general characteristics and principles of public international law.
- 2. Identify, find and correctly cite key primary sources of international law.
- 3. Explain and critique how treaties are formed and enforced, the nature of reservations and basic rules of treaty interpretation.
- 4. Analyse and critique the relationship between international and national law, particularly Australian law.
- 5. Explain and critique state sovereignty, state recognition and legal personality in international law.
- 6. Analyse and critique the extent to which a state can be held to account for the actions of its officers, citizens and corporations, as well as states' obligations towards foreign nationals.
- 7. Articulate and critique basic principles of state jurisdiction, as well as sovereign, diplomatic and consular immunity.
- 8. Analyse and critique various means for the non-violent settlement of disputes between states.
- 9. Explain and critique the right of states to use armed force, as well as the UN system of collective security.
- 10. Explain and critique the basic rules of international criminal law and the working of some international criminal tribunals.

Summative quizzes

Due: **Various**

Weighting: **24%**

Weekly online quizzes that count towards the student's grade

On successful completion you will be able to:

- 1. Articulate and critique the general characteristics and principles of public international law.

- 2. Identify, find and correctly cite key primary sources of international law.
- 3. Explain and critique how treaties are formed and enforced, the nature of reservations and basic rules of treaty interpretation.
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- 7. Articulate and critique basic principles of state jurisdiction, as well as sovereign, diplomatic and consular immunity.
- 8. Analyse and critique various means for the non-violent settlement of disputes between states.
- 9. Explain and critique the right of states to use armed force, as well as the UN system of collective security.
- 10. Explain and critique the basic rules of international criminal law and the working of some international criminal tribunals.

Problem Question 1

Due: **11 pm, 19 April 2015**

Weighting: **25%**

Answer to a hypothetical question relating to Topics 1 - 5

On successful completion you will be able to:

- 1. Articulate and critique the general characteristics and principles of public international law.
- 2. Identify, find and correctly cite key primary sources of international law.
- 3. Explain and critique how treaties are formed and enforced, the nature of reservations and basic rules of treaty interpretation.
- 4. Analyse and critique the relationship between international and national law, particularly Australian law.

Problem Question 2

Due: **11 pm, 24 May 2015**

Weighting: **25%**

Answer to a hypothetical question relating to Topics 1 - 9

On successful completion you will be able to:

- 1. Articulate and critique the general characteristics and principles of public international law.
- 2. Identify, find and correctly cite key primary sources of international law.
- 5. Explain and critique state sovereignty, state recognition and legal personality in international law.
- 6. Analyse and critique the extent to which a state can be held to account for the actions of its officers, citizens and corporations, as well as states' obligations towards foreign nationals.
- 7. Articulate and critique basic principles of state jurisdiction, as well as sovereign, diplomatic and consular immunity.

Final examination

Due: **9 am – 1 pm, 15 June 2015**

Weighting: **26%**

Four-hour exam which students can complete at home

On successful completion you will be able to:

- 1. Articulate and critique the general characteristics and principles of public international law.
- 2. Identify, find and correctly cite key primary sources of international law.
- 3. Explain and critique how treaties are formed and enforced, the nature of reservations and basic rules of treaty interpretation.
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- 8. Analyse and critique various means for the non-violent settlement of disputes between states.

- 9. Explain and critique the right of states to use armed force, as well as the UN system of collective security.
- 10. Explain and critique the basic rules of international criminal law and the working of some international criminal tribunals.

Delivery and Resources

Please see the Unit Notes and Unit Schedule for information on delivery and resources (available via iLearn).

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](#). Students should be aware of the following policies in particular with regard to Learning and Teaching:

Academic Honesty Policy http://mq.edu.au/policy/docs/academic_honesty/policy.html

Assessment Policy <http://mq.edu.au/policy/docs/assessment/policy.html>

Grading Policy <http://mq.edu.au/policy/docs/grading/policy.html>

Grade Appeal Policy <http://mq.edu.au/policy/docs/gradeappeal/policy.html>

Grievance Management Policy http://mq.edu.au/policy/docs/grievance_management/policy.html

Disruption to Studies Policy http://www.mq.edu.au/policy/docs/disruption_studies/policy.html *The Disruption to Studies Policy is effective from March 3 2014 and replaces the Special Consideration Policy.*

In addition, a number of other policies can be found in the [Learning and Teaching Category](#) of Policy Central.

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: https://students.mq.edu.au/support/student_conduct/

Results

Results shown in *iLearn*, 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.

Student Support

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

Learning Skills

Learning Skills (mq.edu.au/learningskills) provides academic writing resources and study strategies to improve your marks and take control of your study.

- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module for Students](#)
- [Ask a Learning Adviser](#)

Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

Student Enquiries

For all student enquiries, visit Student Connect at ask.mq.edu.au

IT Help

For help with University computer systems and technology, visit <http://informatics.mq.edu.au/help/>.

When using the University's IT, you must adhere to the [Acceptable Use Policy](#). The policy applies to all who connect to the MQ network including students.

Graduate Capabilities

Discipline Specific Knowledge and Skills

Our graduates will take with them the intellectual development, depth and breadth of knowledge, scholarly understanding, and specific subject content in their chosen fields to make them competent and confident in their subject or profession. They will be able to demonstrate, where relevant, professional technical competence and meet professional standards. They will be able to articulate the structure of knowledge of their discipline, be able to adapt discipline-specific knowledge to novel situations, and be able to contribute from their discipline to inter-disciplinary solutions to problems.

This graduate capability is supported by:

Learning outcomes

- 1. Articulate and critique the general characteristics and principles of public international law.
- 2. Identify, find and correctly cite key primary sources of international law.
- 3. Explain and critique how treaties are formed and enforced, the nature of reservations and basic rules of treaty interpretation.
- 4. Analyse and critique the relationship between international and national law, particularly Australian law.
- 5. Explain and critique state sovereignty, state recognition and legal personality in international law.

- 6. Analyse and critique the extent to which a state can be held to account for the actions of its officers, citizens and corporations, as well as states' obligations towards foreign nationals.
- 7. Articulate and critique basic principles of state jurisdiction, as well as sovereign, diplomatic and consular immunity.
- 8. Analyse and critique various means for the non-violent settlement of disputes between states.
- 9. Explain and critique the right of states to use armed force, as well as the UN system of collective security.
- 10. Explain and critique the basic rules of international criminal law and the working of some international criminal tribunals.

Assessment tasks

- Formative quizzes
- Summative quizzes
- Problem Question 1
- Problem Question 2
- Final examination

Critical, Analytical and Integrative Thinking

We want our graduates to be capable of reasoning, questioning and analysing, and to integrate and synthesise learning and knowledge from a range of sources and environments; to be able to critique constraints, assumptions and limitations; to be able to think independently and systemically in relation to scholarly activity, in the workplace, and in the world. We want them to have a level of scientific and information technology literacy.

This graduate capability is supported by:

Learning outcomes

- 1. Articulate and critique the general characteristics and principles of public international law.
- 3. Explain and critique how treaties are formed and enforced, the nature of reservations and basic rules of treaty interpretation.
- 4. Analyse and critique the relationship between international and national law, particularly Australian law.
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nationals.

- 8. Analyse and critique various means for the non-violent settlement of disputes between states.
- 9. Explain and critique the right of states to use armed force, as well as the UN system of collective security.
- 10. Explain and critique the basic rules of international criminal law and the working of some international criminal tribunals.

Assessment task

- Summative quizzes

Problem Solving and Research Capability

Our graduates should be capable of researching; of analysing, and interpreting and assessing data and information in various forms; of drawing connections across fields of knowledge; and they should be able to relate their knowledge to complex situations at work or in the world, in order to diagnose and solve problems. We want them to have the confidence to take the initiative in doing so, within an awareness of their own limitations.

This graduate capability is supported by:

Assessment tasks

- Problem Question 1
- Problem Question 2
- Final examination

Engaged and Ethical Local and Global citizens

As local citizens our graduates will be aware of indigenous perspectives and of the nation's historical context. They will be engaged with the challenges of contemporary society and with knowledge and ideas. We want our graduates to have respect for diversity, to be open-minded, sensitive to others and inclusive, and to be open to other cultures and perspectives: they should have a level of cultural literacy. Our graduates should be aware of disadvantage and social justice, and be willing to participate to help create a wiser and better society.

This graduate capability is supported by:

Learning outcomes

- 1. Articulate and critique the general characteristics and principles of public international law.
- 3. Explain and critique how treaties are formed and enforced, the nature of reservations and basic rules of treaty interpretation.
- 4. Analyse and critique the relationship between international and national law,

particularly Australian law.

- 5. Explain and critique state sovereignty, state recognition and legal personality in international law.
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Assessment tasks

- Formative quizzes
- Summative quizzes
- Problem Question 1
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