



# LAWS601

## International Law

S1 Day 2015

*Dept of Law*

### Contents

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<a href="#"><u>General Information</u></a>	2
<a href="#"><u>Learning Outcomes</u></a>	2
<a href="#"><u>General Assessment Information</u></a>	3
<a href="#"><u>Assessment Tasks</u></a>	5
<a href="#"><u>Delivery and Resources</u></a>	8
<a href="#"><u>Policies and Procedures</u></a>	9
<a href="#"><u>Graduate Capabilities</u></a>	10

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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, internal students must:

1. **satisfactorily complete all formative quizzes by 11 pm, Sunday 14 June 2015** (see below under *Formative Quizzes*), and
2. **attain an aggregate of at least 50 marks in the assessable tasks** (see below under *Assessable Tasks*).

### FORMATIVE QUIZZES

Students must satisfactorily complete all formative quizzes relating to all 12 topics prior to 11 pm, Sunday 14 June 2015. Satisfactory completion entails obtaining 100% in each formative quiz on the student's final attempt.

Although students have until 11 pm, Sunday 14 June 2015 to complete formative quizzes, they will need to satisfactorily complete a topic's formative quizzes before they are able to attempt the summative quiz set for that topic.

### ASSESSABLE TASKS

Assessable tasks consist of summative quizzes, Problems Questions 1 and 2 and the final examination.

### Summative Quizzes (Quizzes A to M)

Twelve weekly assessable quizzes will be set. The questions will become available to students once they have successfully completed all formative quizzes relating to that week's topic. The summative quizzes will be conducted using iLearn and students must post their responses via iLearn.

Each summative quiz will consist of two questions, making 24 questions in total. Each question will be worth one mark. 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. 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.

Answers to each summative 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.

### **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.

*Please see the Unit Notes for further guidance on assessment (available via iLearn).*

## Assessment Tasks

Name	Weighting	Due
<a href="#"><u>Formative quizzes</u></a>	0%	11 pm, Sunday 14 June 2015
<a href="#"><u>Summative quizzes</u></a>	24%	Various
<a href="#"><u>Problem Question 1</u></a>	25%	11 pm, 19 April 2015
<a href="#"><u>Problem Question 2</u></a>	25%	11 pm, 24 May 2015
<a href="#"><u>Final examination</u></a>	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.
- 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.

## 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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- 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](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](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](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/](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](http://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](http://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](https://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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- 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.
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## **Assessment tasks**

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