



LAWS601

International Law

S2 External 2015

Dept of Law

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General Information

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To be determined

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 15 November 2015 (see below under *Formative Quizzes*), and**
2. **attain an aggregate mark of at least 50 out of 100 in the unit as a whole, those marks coming from 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 15 November 2015. Satisfactory completion entails obtaining 100% in each formative quiz on the student's final attempt.

Although students have until 11 pm, Sunday 15 November 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.

The formative quizzes are discussed further below (under 'Delivery and Resources').

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, Saturday 29 August 2015 (end of Week 5)

Deadline for student submission: 11 pm, Sunday 13 September 2015 (end of Week 7)

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, Tuesday 20 October 2015 (end of Week 11)

Deadline for student submission: 11 pm, Wednesday 28 October 2015 (end of Week 12)

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 16 November 2015

Deadline for student submission: 1 pm, Monday 16 November 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 15 November 2015
<u>Summative quizzes</u>	24%	Various
<u>Problem Question 1</u>	25%	11 pm, 13 September 2015
<u>Problem Question 2</u>	25%	11 pm, 25 October 2015

Name	Weighting	Due
<u>Final examination</u>	26%	9 am – 1 pm, 16 November 2015

Formative quizzes

Due: **11 pm, Sunday 15 November 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.
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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 I

Due: **11 pm, 13 September 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, 25 October 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, 16 November 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.
- 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.

Delivery and Resources

Lectures

This unit consists of 12 topics, as set out on the iLearn website. Each topic is divided into sub-topics. Most sub-topics are accompanied by a short, recorded lecture. These will vary in length, with some as short as a few minutes. Lectures are available for download from iLearn (click on the 'Echo 360' logo on the right hand side of the screen). Lectures are intended to give you an overview of the topic, indicate its most important aspects and, hopefully, make the related readings more interesting and accessible.

Accompanying the lectures are lecture slides. These are available from iLearn in .pptx (Powerpoint) and .pdf format. The two are identical, so you need not download both versions. When listening to lectures, be sure to have the accompanying slides in front of you, since they will be referred to during lectures. Each slide has a number, which you will find in the bottom right hand corner. Note that the slides for all sub-topics are combined together in one file, which is downloadable from the top of each topic in iLearn.

Readings

The lectures should give you a broad overview of the subject, but it is vital that you then develop your understanding by completing the related readings. These are divided into 'essential' and 'additional'.

Essential readings largely consist of extracts from the prescribed textbook: *Principles of International Law* by Stephen Hall (LexisNexis, 4th ed, 2014, ISBN: 978-0-409-33450-0).

Additional readings largely consist of extracts from other textbooks that are made available to you online in pdf format from the Macquarie library website (via Multisearch). You are encouraged to at least skim through the additional readings each week, paying more attention to the passages you consider particularly interesting or important.

In addition to completing the readings, you should appropriately consult the primary legal sources referred to in the lecture and readings (ie treaties, cases, etc). At times this will be essential in order to satisfactorily complete the assignments. You are expected to have sufficient research skills to locate and download these primary sources. (We cover how to find international law primary material in Topic 2.)

Tips on active reading

Many of us find it difficult to concentrate when we read. If you find that there is a tendency for your mind to wander then there are various techniques for making the task more engaging and enjoyable. For instance:

- Before reading a chapter or article, skim its contents, looking just at the headings and dipping into the contents here and there. On this initial skim the goal is simply to establish what the reading is about and how it is structured. Then ask yourself, say, ten basic questions about the subject that you would like answered. Here the formative quizzes should help, since these will raise questions to which you will need answers. But you should also make up your own questions: just follow your curiosity. Then read, looking primarily for answers to the questions you have set yourself. Once you have all ten answers, if you have time, set yourself ten more questions to answer. This time you might be getting into detail, but your questions will also be better informed and so more useful. Repeat this exercise until you feel you have exhausted the reading. If you still have unanswered questions, try to find answers by, if necessary, going beyond the set readings.
- At least on an initial reading, do not be afraid to skim passages that do not seem important or interesting. If they turn out to be important then you can always go back to them.
- Imagine your job is to explain the reading to someone else. Better still, find someone to explain it to, such as a fellow student. How would you explain it? Think of the similes and hypothetical or real examples you might use. Think of the questions the other person might raise, and then find the answers to them.
- Challenge yourself to summarise the reading within a certain number of words. Be strict with your self-imposed word limit (eg 50 words for every page of the reading). Once you have achieved your goal, halve the word limit and then repeat the exercise. Keep doing this until you don't feel you can go further. This will also provide practice in concise writing, a skill some students lack.
- Design diagrams, mind maps, etc. Flow charts are particularly helpful when it comes to working out how to apply the law. They take a while to devise, but in the process you should come to thoroughly understand how the law works.
- We are most likely to find something boring if we do not see how it relates to ourselves personally. For that reason, think about ways in which the issues we cover affect you, or might affect you in the future. Imagine you have to give advice on these issues tomorrow: that should bring sufficient anxiety to sharpen your mind!

All of the above should also encourage you to look for the big picture, rather than getting hung up on too much detail. But most importantly, they should help you to read actively and purposefully, which is the key to enjoying academic study.

Formative Quizzes

Each sub-topic has related to it certain online activities identified as numbered quizzes: Quiz 1.1, Quiz 1.2, etc. These quizzes are designed to test and enhance your understanding of the material, and to ensure that you are well prepared for attendance at the on-campus sessions.

Students must satisfactorily complete all formative quizzes relating to all 12 topics prior to 11 pm, Sunday 15 November 2015. Satisfactory completion entails obtaining 100% in each formative quiz on the student's final attempt. Students are encouraged to tick the boxes on the right-hand side of the iLearn site in order to record when they have completed each formative quiz.

Unlike with assessable, summative quizzes (identified as Quiz A, B, C, etc: see above under *Assessable Tasks*), where you only have one go at answering the questions, you may attempt formative quizzes as many times as you like. However, you will be unable to commence your second and subsequent attempts at a formative quiz until a certain number of minutes have elapsed after your last attempt. This is to encourage students to actively engage with the questions and not just guess the answers.

You have satisfactorily completed a formative quiz when you have obtained 100% on your final attempt. You will know when you have satisfactorily completed a formative quiz because the on-line activities for the next sub-topic will automatically become available on the iLearn site. Students will not be able to advance to the next sub-topic's activities until they have satisfactorily completed the preceding formative quiz.

I have no objection to students working collaboratively on non-assessable activities such as the formative quizzes. The same does not apply to the assessable tasks (ie the assessable summative quizzes, Problem Questions 1 and 2 and the final examination) which you should undertake on your own. Collaboration in relation to the assessable tasks would constitute academic dishonesty. If you decide to collaborate in relation to the formative quizzes then please do so actively. If you simply copy someone else's answers then you will be learning almost nothing.

In order to facilitate collaboration on non-assessable activities a specific discussion forum has been provided. Students are welcome to post to that forum if they are experiencing particular difficulties. When responding to another student's request for help, please don't just provide the answer. You need to exercise a basic skill of teaching, which is to let your fellow student work out the answer for themselves as much as possible. For instance, if there is a problem with a student's punctuation in a citation then you might refer them to the relevant rule in the Australian Guide to Legal Citation. That way the student is required to find and read the rule and then apply it. That is far more beneficial to the student's learning than simply saying something like 'you need to place a full stop at the end'.

Although students have until 11 pm, Sunday 15 November 2015 to complete formative quizzes, they will need to satisfactorily complete a topic's formative quizzes before they are able to attempt the assessable summative quiz set for that topic.

On-Campus Sessions

Having developed a basic understanding of each topic by completing the on-line activities, on-campus sessions (OCS) are your chance to discuss the issues raised, as well as ask questions in order to clear up any lingering doubts as to whether you understand the material correctly. OCS are meant to come towards the end of the learning process, not the beginning. Certainly they are no substitute for listening to the lectures or doing the readings, although if you are totally stumped by even a basic point then there is no shame in raising it at an OCS.

There will be two OCS as follows:

- OCS 1 (23 August 2015) will cover Topics 1 – 5 (inclusive);
- OCS 2 (18 & 19 October 2015) will cover Topics 6 – 12 (inclusive), although it will deal with Topics 6 – 9 (inclusive) in rather more depth.

Each OCS day will run from 9.30 am until 4.30 pm with appropriate breaks for lunch and refreshments. Timetables for the OCS will be provided via iLearn. Please try not to be late arriving for any session.

How to make OCS interesting and useful

OCS only succeed if students actively participate: they are not meant to be simple rehashes of the lecture.

In order to participate you need to adequately prepare for each OCS. This means listening to the lecture, completing the readings and online activities and thinking about the issues covered before you arrive.

Participation can take the form of answering tutor's questions, but you are also free to pose your own questions, either to tutors or fellow students. You should also regularly contribute appropriately to discussions. This involves listening respectfully to what others say and responding courteously. We should all be trying to develop our own and each other's learning, rather than scoring points off each other.

NB: it is never a problem to:

- answer questions incorrectly or otherwise display a lack of understanding;
- indicate that you find something difficult to understand;
- disagree with your tutor's views on any topic under discussion.

You will not lose marks if you make a mistake. OCS are meant to be non-threatening environments in which students can get things wrong and own up to any difficulties with the material being studied. An OCS is a place to learn, not just to demonstrate what you have previously learned. While tutors may need to correct mistakes, every effort will be made to avoid causing any degree of embarrassment. In short, tutors should be highly tolerant of failures to understand, highly intolerant of failures to try to understand.

General discussion forum

A general discussion forum will be set up on iLearn. Students are encouraged to contribute to these discussions, provided the general rules of etiquette are observed. The forum is intended for discussion relating to the issues we are studying. Please post questions relating to administrative matters to the forum called 'Discussion Forum re Administrative Matters'.

Unit Schedule

General notes

- *This schedule is liable to change in light of unforeseen circumstances. You will be notified of any changes via iLearn.*
- *Lectures are delivered only via iLearn. Unless notified otherwise, there are no 'live' lectures in this unit.*
- *'Hall' refers to the prescribed textbook:*
 - *Stephen Hall, Principles of International Law (LexisNexis, 4th ed, 2014, ISBN: 978-0-409-33450-0).*
- *Other readings are available from Macquarie University library as a unit reading. You can find them using MultiSearch: <http://libguides.mq.edu.au/MultiSearch>.*

Topic 1: Introduction to International Law

A primary purpose of international law is to govern the relationship between different sovereign states. We begin by examining the scope and history of this fascinating subject. Besides introducing some key institutions such as the United Nations, this topic also addresses the oft raised question: are international relations really under the rule of law, or is it more a matter of might equalling right?

- **Deadline for Quiz A: 11.00 pm, Sunday 2 August (Week 2)**
- Readings:
 - Essential:
 - Hall, chapter 1 (part), paras 1.1 – 1.78 (pp 2 – 26);
 - Malcolm N Shaw, *International Law* (Cambridge Uni Press, 7th ed, 2014), chapters 1 & 2 (pp 1 – 48)
 - Additional:
 - Gillian D Triggs, *International Law: Contemporary Principles and Practices* (LexisNexis, 2nd ed, 2011), chapter 1 (pp 1 – 19);
 - Martin Dixon, Robert McCorquodale & Sarah Williams, *Cases & Materials on International Law* (Oxford Uni Press, 5th ed, 2011), chapter 1 (pp 1 – 17)

Topic 2: Sources of International Law

All systems of law require a degree of certainty as to what rules govern any particular act or event. This topic considers how those rules are created and where they can be found. It also looks at some basic principles of international law which, though traceable back to classical times, are very much alive today.

- **Deadline for Quiz B: 11.00 pm, Sunday 9 August (Week 3)**
- Readings:
 - Essential:
 - Hall, chapter 1 (part), para 1.79 onwards (pp 26 – 70)
 - Additional:
 - James Crawford, *Brownlie's Principles of Public International Law* (Oxford Uni Press, 8th ed, 2012), chapter 2 (pp 20 – 47)

Topic 3: The Formation of Treaties

Treaties form much of the substance of international law. But what are treaties, how are they formed and how do they impact on states that sign them as well as those that do not? This topic also considers the issue of reservations: mechanisms whereby states seek to modify or avoid certain effects of treaties.

- **Deadline for Quiz C: 11.00 pm, Sunday 16 August (Week 4)**
- Readings:
 - Essential:
 - Hall, chapter 2 (part), paras 2.1 – 2.74 (pp 76 – 104)
 - Additional:
 - Martin Dixon, Robert McCorquodale & Sarah Williams, *Cases & Materials on International Law* (Oxford Uni Press, 5th ed, 2011), chapter 3 (pp 55 – 81)

Topic 4: Interpretation and Enforceability of Treaties

Continuing our examination of the law as it relates to treaties, this topic looks at what is probably the most difficult issue of all: their interpretation. It also explores the various ways in which states might try to escape liability under a treaty, for instance by declaring it invalid, or by simply refusing to comply with it.

- **Deadline for Quiz D: 11.00 pm, Sunday 23 August (Week 5)**
- Readings:
 - Essential:
 - Hall, chapter 2 (part), para 2.75 onwards (pp 105 – 135)

- Additional:
 - Martin Dixon, Robert McCorquodale & Sarah Williams, *Cases & Materials on International Law* (Oxford Uni Press, 5th ed, 2011), chapter 3 (pp 81 – 100)

Topic 5: International and National Law

What is the relationship between national and international law? If Australia were to breach international law, what effect can that have on the rights and responsibilities of ordinary Australians? This topic answers those questions, also giving thought to the part played by international law in other legal systems, such as those found in civil law countries.

- **Deadline for Quiz E: 11.00 pm, Sunday 30 August (Week 6)**
- Readings:
 - Essential:
 - Hall, chapter 3 (pp 145 – 203)
 - Additional:
 - Donald R Rothwell et al, *International Law: Cases and Materials with Australian Perspectives* (Cambridge Uni Press, 2nd ed, 2014), chapter 4 (pp 196 – 267)

Topic 6: Statehood and Personality

The concept of state sovereignty is central to international law. What is more, much is made of the right of certain peoples to self-determination. But what is a state? And what does it mean to have legal personality in international law? This topic considers issues such as what is involved when a state decides to recognise the existence of another state or government, as well as the increasing role of international organisations in international law.

- **Deadline for Quiz F: 11.00 pm, Sunday 6 September (Week 7)**
- Readings:
 - Essential:
 - Hall, chapter 4 (pp 207 – 241)
 - Additional:
 - Martin Dixon, *Textbook on International Law* (Oxford Uni Press, 7th ed, 2013), chapter 5 (pp 115 – 147)

Topic 7: State Responsibility

To what extent can a state be blamed for the wrongdoings of its agents or officials? Are states responsible for the acts of their citizens or corporations? If foreign property is damaged in a riot or an insurrection, can the state be required to make restitution? This topic answers these and other questions relating to state responsibility in international law.

- **Deadline for Quiz G: 11.00 pm, Sunday 27 September (Week 8)**
- Readings:
 - Essential:
 - Hall, chapter 5 (part), paras 5.1 – 5.78 (pp 250 – 279)
 - Additional:
 - Jan Klabbbers, *International Law* (Cambridge Uni Press, 2013), chapter 7 (pp 124 – 139)

Topic 8: Treatment of Foreign Nationals

When you visit a foreign country, can that country be held to account under international law if it mistreats you, such as imprisons you without trial or confiscates your property? Is a state obliged to treat non-nationals as generously as it does its own citizens? Conversely, is it free to treat them just as badly? This topic also examines how and when a state may be entitled to protect its nationals when abroad.

- **Deadline for Quiz H: 11.00 pm, Sunday 4 October (Week 9)**
- Readings:
 - Essential:
 - Hall, chapter 5 (part), paras 5.79 onwards (pp 280 – 310)
 - Additional:
 - James Crawford, *Brownlie's Principles of Public International Law* (Oxford Uni Press, 8th ed, 2012), chapter 28 (pp 607 – 633)

Topic 9: State Jurisdiction and Immunity

Jurisdiction refers to the scope of a state's lawful authority. This topic considers issues such as the extent to which one state can make laws relating to events that occur in another, as well as what laws apply on a ship or onboard a plane. It also explains concepts such as sovereign, diplomatic and consular immunity.

- **Deadline for Quiz J: 11.00 pm, Sunday 11 October (Week 10)**
- Readings:
 - Essential:
 - Hall, chapter 6 (pp 317 – 347)
 - Additional:
 - Gillian D Triggs, *International Law: Contemporary Principles and Practices* (LexisNexis, 2nd ed, 2011), chapter 8 (pp 427 – 503);
 - Jan Klabbbers, *International Law* (Cambridge Uni Press, 2013), chapter 5 (pp 91 – 106)

Topic 10: International Dispute Settlement

Ultimately, states can settle their differences by going to war. Since 1945, however, concerted efforts have been made to find peaceful means of dispute resolution. This topic looks at institutions such as the International Court of Justice, as well as mechanisms designed to encourage negotiation and compromise.

- **Deadline for Quiz K: 11.00 pm, Monday 19 October (Week 11)**
- Readings:
 - Essential:
 - Hall, chapter 8 (pp 382 – 412)
 - Additional:
 - Ademola Abass, *International Law: Text, Cases, and Materials* (Oxford Uni Press, 2nd ed, 2014), chapter 14 (pp 489 – 522)

Topic 11: International Use of Force

Despite humanity's efforts, the scourge of international armed conflict is yet to be eradicated. This topic examines the general prohibition on the use or threat of force, as well as exceptions to that rule in cases such as self defence or when military action is authorised by the United Nations. It also looks at situations that raise difficult legal and moral questions, such as the disputed right to anticipatory self defence, as well as military interventions against oppressive regimes or to prevent humanitarian disasters.

- **Deadline for Quiz L: 11.00 pm, Sunday 25 October (Week 12)**
- Readings:
 - Essential:
 - Hall, chapter 9 (pp 419 – 461)
 - Additional:
 - Ademola Abass, *International Law: Text, Cases, and Materials* (Oxford Uni Press, 2nd ed, 2014), chapter 10 (pp 333 – 370)
 - Yoram Dinstein, *War, Aggression and Self-Defence* (Cambridge Uni Press, 5th ed, 2011), chapter 4 (pp 85 – 123)

Topic 12: International Criminal Law

Traditionally, individuals were merely the objects of international law. The 20th century saw a growing concern for the protection of the individual under human rights conventions. The signs are that the 21st century will be the age of individual responsibility under international law, as the global community becomes increasingly reluctant to allow those who commit the most heinous of crimes to escape personal responsibility.

- **Deadline for Quiz M: 11.00 pm, Sunday 1 November (Week 13)**

- Readings:
 - Essential:
 - Malcolm N Shaw, *International Law* (Cambridge Uni Press, 7th ed, 2014), chapter 8 (pp 285 – 320)
 - Additional:
 - James Crawford, *Brownlie's Principles of Public International Law* (Oxford Uni Press, 8th ed, 2012), chapter 30 (pp 671 – 690);
 - Hall, chapter 10 (pp 467 – 568)

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.

Communicating with teaching staff

By far the best way to communicate with the convenor is via **email**: Dr Roy Baker (convenor): roy.baker@mq.edu.au

The convenor checks his emails regularly and you can expect a response within a few business days. If you do not hear within four business days then it is likely that your email has gone missing. Only then should you send another chasing it up.

When emailing, it is vital that you use your Macquarie email account ([student.name]@students.mq.edu.au). Messages sent from other accounts (Hotmail, etc) generally go straight to spam. You can set up your Macquarie account so that emails received there are forwarded to your regular account.

Phoning the convenor is not a good idea unless the call is prearranged, since his phone is not regularly checked for messages.

If you wish to talk to the convenor or a tutor face-to-face then it is best to attend their **consultation sessions** (see above for the day and time). If you wish to attend then you should notify the convenor or tutor (as appropriate) in advance. If you are unable to attend due to clashes with other classes then you should email the convenor or tutor (as appropriate) to arrange a mutually convenient appointment.

Disruption to study

Applications for special consideration relating to disruptions to study should be made electronically via ask.mq.edu.au and should be accompanied by supporting documentation. Students should refer to the [Disruption to Studies policy](#) for complete details of the policy and a description of the supporting documentation required.

It is anticipated that a student might need to apply for special consideration in relation to misadventures that potentially affect the student's performance in assessable, summative quizzes, written assignments and/or the final examination. The following considers each form of application. All applications for special consideration are considered on their own merits. The following simply gives general guidance in relation to likely outcomes.

Applications relating to the assessable, summative quizzes

Arrangements will be made for students to take a supplementary quiz. The questions for that quiz will be released at 8 am, Saturday 7 November 2015 and students will have until 11pm, Sunday 15 November 2015 to submit their answers.

Applications relating to Problem Questions 1 and/or 2

Students will be given 16 days to complete Problem Question 1 and nine days to complete Problem Question 2. As a general rule, disruptions suffered prior to release of a question will not result in special consideration in relation to that question.

Normally students will be granted an extension of time equal to the duration of the disruption subsequent to the release of the assignment question. For instance, a student suffering a five-day disruption, with three days suffered after the release of the assignment question is likely to receive a three-day extension.

Applications relating to the final examination

Students successfully applying for special consideration in relation to the final examination may be asked to sit a supplementary examination on a day and at a time determined by the convenor. The convenor reserves the right to set an alternative or additional assessment, which may take the form of an oral examination to be conducted by the unit convenor or the tutor.

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.
- 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.
- 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.
- 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