



LAWS259

International Law

S2 Day 2016

Dept of Law

Contents

<u>General Information</u>	2
<u>Learning Outcomes</u>	2
<u>General Assessment Information</u>	3
<u>Assessment Tasks</u>	3
<u>Delivery and Resources</u>	8
<u>Unit Schedule</u>	12
<u>Policies and Procedures</u>	15
<u>Graduate Capabilities</u>	18
<u>Changes from Previous Offering</u>	20

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General Information

Unit convenor and teaching staff

Unit Convenor

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Contact via email

W3A 509

For consultation times see iLearn

Credit points

3

Prerequisites

18cp including (LEX101 or LAW115)

Corequisites

Co-badged status

Unit description

This unit provides an understanding of various international legal principles, rules, and practices, as well as their role in shaping and reshaping the contemporary international system. The goal of this unit is to equip students with an understanding of the foundational principles guiding the operation of international law. Students develop an appreciation of the relevance and effectiveness of International Law in a range of issue areas. These inclusively include: sources of International Law, its interaction with domestic law, personality, statehood, recognition, use of force, law of treaties, diplomatic immunities, law of the sea, human rights, terrorism, and international justice system.

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:

Demonstrate broad and coherent knowledge of the general characteristics and principles of public international law.

Identify, find and correctly cite key primary sources of international law.

Describe the role, rights and responsibilities of some major international organisations

under international law.

Explain and apply to unpredictable situations international law as it relates to the rights and responsibilities of states vis-a-vis other states and international institutions.

Explain and apply to unpredictable situations international law as it relates to the rights and responsibilities of states when it comes to the treatment of their own nationals and corporations, as well as those of other states.

Analyse the relationship between international and national law, particularly Australian law.

Describe various means for the non-violent settlement of disputes between states.

Participate constructively in discussion and other classroom activities in order to understand, analyse and critique the basics of international law.

Advise on international law under time constraints and using limited resources.

General Assessment Information

In order to pass this unit, internal students must:

1. participate satisfactorily in tutorials (see below under *Tutorial Participation*), and
2. attain an aggregate mark of at least 50 out of 100 in the unit as a whole, those marks coming from the weekly quizzes, citation tests, problem question and final examination.

A fail grade for one or more of the weekly quizzes, citation tests, problem question or final examination will not result in an automatic fail of the unit.

Assessment Tasks

Name	Weighting	Due
<u>Tutorial participation</u>	0%	Various: see Schedule below
<u>Weekly quizzes (Quiz A to M)</u>	30%	Various: see Schedule below
<u>Citation tests</u>	4%	11 pm, 10 October 2016
<u>Problem question</u>	30%	11 pm, 16 October 2016
<u>Final examination</u>	36%	During exam period

Tutorial participation

Due: **Various: see Schedule below**

Weighting: **0%**

In order to pass this unit internal students must participate satisfactorily in tutorials. Tutorial participation is therefore a hurdle requirement.

Satisfactory participation involves:

1. demonstrating that the student has prepared adequately for every tutorial. Adequate preparation means listening to the relevant lectures, completing and thinking about the prescribed essential readings, as well as preparing answers to any tutorial questions posted to iLearn prior to the tutorial in question;
2. actively participating in tutorial activities, which can include answering tutors' questions, making suitable contributions to discussions and asking relevant questions of tutors or fellow students as appropriate;
3. respectfully listening and responding to views expressed by tutors and fellow students;
4. cooperating in tutorial activities as directed by tutors; and
5. refraining from activities unrelated to the tutorial, such as surfing the web, checking text messages, working on assignments, etc.

Tutorial participation will not be deemed satisfactory simply because you always turned up to class. That said, you are unlikely to be able to demonstrate satisfactory tutorial participation unless you regularly attend. It is recommended that you aim to attend at least 10 out of the 13 tutorials, although attendance at fewer tutorials will not result in an automatic fail.

Notwithstanding the requirements relating to satisfactory participation, tutorials are meant to be non-threatening environments in which students can make mistakes and own up to any difficulties with the material being studied. A tutorial 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 particular, your tutorial participation will not be assessed as unsatisfactory simply on the basis that you:

1. answer questions incorrectly or otherwise display a lack of understanding, or
2. indicate that you find something difficult to understand (eg by asking questions);

provided that it is nevertheless evident that you adequately prepared for class, in that you made sufficient effort to try to understand the material. In short, tutors should be highly tolerant of failures to understand, highly intolerant of failures to try to understand.

Students will be notified as the session progresses if their participation is considered unsatisfactory and will be offered guidance on how to improve it.

Please see below under 'Policies and Procedures' in relation to what you should do if you miss a tutorial.

On successful completion you will be able to:

- Participate constructively in discussion and other classroom activities in order to understand, analyse and critique the basics of international law.

Weekly quizzes (Quiz A to M)

Due: **Various: see Schedule below**

Weighting: **30%**

Twelve weekly assessable quizzes will be set. These will be identified as Quizzes A to M. (There is no Quiz I.) Each quiz will relate to the topic due to be studied at the tutorial following the quiz deadline. The quizzes will be conducted using iLearn and students must post their responses via iLearn. Students must submit their answers for each quiz by the deadline stipulated in the Schedule below. Generally the deadline falls at 11 pm on the Sunday prior to the tutorial at which the relevant topic will be discussed.

Subject to that 11 pm deadline, students will have 30 minutes from when they first open the quiz to submit all of their answers. At the end of 30 minutes the quiz is submitted automatically with whatever answers have been filled in so far. If you open the quiz after 10.30 pm on the day of the deadline then the quiz will nevertheless close at 11 pm, meaning that you will have less than 30 minutes to submit your answers.

Students stand to gain marks in relation to the first ten quizzes they attempt. Students will be deemed to have attempted a quiz once they have opened that quiz (ie once they have seen the questions). Students may attempt more than 10 quizzes in order to further their learning but they will not gain marks for the 11th or 12th quiz they attempt.

Each quiz will contain six questions as follows:

1. Questions 1, 2, 3 and 4 will each present a statement. Students will be asked to decide whether that statement is true or false. Each question will be worth one quarter of a mark. (When calculating the overall unit mark all marks will be rounded up or down to the nearest integer.)
2. Question 5 will take the form of a multiple choice question. Students will receive one mark for answering correctly.
3. Question 6 will ask a question to which students are required to write a short answer. Answers should not exceed 100 words and in many instances could be considerably shorter. Students will receive one mark for an appropriate answer. No fractional marks will be given. Answers that exceed 100 words will not receive a mark.

Please see below under 'Policies and Procedures' in relation to what you should do if you miss a quiz.

On successful completion you will be able to:

- Demonstrate broad and coherent knowledge of the general characteristics and principles of public international law.

- Describe the role, rights and responsibilities of some major international organisations under international law.
- Analyse the relationship between international and national law, particularly Australian law.
- Describe various means for the non-violent settlement of disputes between states.

Citation tests

Due: **11 pm, 10 October 2016**

Weighting: **4%**

The unit comprises two citation modules (discussed further below under 'Delivery and Resources'). Each module culminates in two questions testing your ability to correctly formulate citations. Each question is worth one mark. Missing one or both of the citation tests will not result in an automatic fail.

On successful completion you will be able to:

- Identify, find and correctly cite key primary sources of international law.

Problem question

Due: **11 pm, 16 October 2016**

Weighting: **30%**

Date for release of question: 8 pm, Friday 7 October 2016 (Week 8)

Deadline for student submission: 11 pm, Sunday 16 October 2016 (end of Week 9)

Target date for completion of marking: Week 13

Students will write a 2,000-word answer in relation to a hypothetical situation. Guidance on how to succeed in this exercise, 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 – 7 (inclusive).

On successful completion you will be able to:

- Demonstrate broad and coherent knowledge of the general characteristics and principles of public international law.
- Identify, find and correctly cite key primary sources of international law.
- Describe the role, rights and responsibilities of some major international organisations under international law.
- Explain and apply to unpredictable situations international law as it relates to the rights and responsibilities of states vis-a-vis other states and international institutions.
- Explain and apply to unpredictable situations international law as it relates to the rights and responsibilities of states when it comes to the treatment of their own nationals and

corporations, as well as those of other states.

- Analyse the relationship between international and national law, particularly Australian law.
- Describe various means for the non-violent settlement of disputes between states.

Final examination

Due: **During exam period**

Weighting: **36%**

Final Examination (36%)

There will be a formal, invigilated examination held during the examination period (14 November to 2 December inclusive). The examination will be of two hours' duration, plus 10 minutes' reading time at the start of the exam. The final examination may relate to issues covered in any part of the unit. The examination will be open book. Students may take into the examination room and consult during the examination any amount of printed material, including books, primary and secondary sources such as journal articles, treaties, reports and resolutions, as well as written (and printed) notes (including diagrams and the like) prepared by the student or anyone else. Students may not take into the examination room any electronic device.

The examination will consist of one or more questions based on one or more real or hypothetical fact scenarios. The examination may also consist of a number of true/false, multiple choice or short answer questions. Further details on the final examination (including the type(s) of question), along with the marking rubric, will be posted online at least one week prior to the exam.

On successful completion you will be able to:

- Demonstrate broad and coherent knowledge of the general characteristics and principles of public international law.
- Identify, find and correctly cite key primary sources of international law.
- Describe the role, rights and responsibilities of some major international organisations under international law.
- Explain and apply to unpredictable situations international law as it relates to the rights and responsibilities of states vis-a-vis other states and international institutions.
- Explain and apply to unpredictable situations international law as it relates to the rights and responsibilities of states when it comes to the treatment of their own nationals and corporations, as well as those of other states.
- Analyse the relationship between international and national law, particularly Australian law.
- Describe various means for the non-violent settlement of disputes between states.
- Advise on international law under time constraints and using limited resources.

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 provide 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. The prescribed textbook for this unit is:

- Stephen Hall, *Principles of International Law* (LexisNexis, 4th ed, 2014, ISBN: 978-0-409-33450-0).

References to 'Hall' on iLearn refer to the prescribed textbook. If you would like to buy a second textbook then you are particularly recommended the following, since it offers an affordable, concise and interesting survey of what we study (and more):

- Jan Klabbers, *International Law* (Cambridge University Press, 2013, ISBN: 978-0-521-14406-3).

Readings for the unit are categorised as follows:

- **Essential readings** largely consist of extracts from the prescribed textbook (Hall, see above). Students are expected to complete all essential readings each week.
- **Recommended readings** consist of chapters from the recommended additional textbook (Klabbers, see above). Students are not obliged to acquire or read this book, although you are likely to find the unit more interesting and easier to understand if you do so.
- **Additional readings** largely consist of chapters from other leading textbooks. These chapters are made available to you online in pdf format from the Macquarie library website (via Multisearch). Students are not expected to routinely complete the additional readings: they are offered as an additional resource, particularly in relation to

assignments.

On occasion, assessable (and formative) quizzes may ask questions directly about the additional readings. It will be evident when they do so. All assignments assume knowledge of the essential readings and lecture content.

Each week's readings are listed in the *Schedule of Readings* available from iLearn. The pages of the essential readings relevant to each sub-topic are also listed on iLearn itself.

In addition to the secondary sources (book chapters, journal articles, etc) listed in the *Schedule of Readings*, you are expected to consult relevant primary legal sources (treaties, draft articles, cases, etc) as much as possible. It should be evident to you from the lectures and secondary sources which primary sources (and which parts of those primary sources) are most important. Sometimes you will need to consult primary sources in order to complete assignments. All relevant primary sources are available online and you are expected to have sufficient research skills to locate and download them. (We cover how to find and cite international law primary material in the two Citation Modules.) If you are having problems finding and citing international material even after completing the citation modules then the library website and staff are likely to be your best source of assistance, although your tutor may also be able to help.

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 and weekly 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 enjoyment of 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 relevant tutorial. Participation in the formative quizzes is voluntary and is not assessed. 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 the assessable, weekly quizzes (identified as Quiz A, B, C, etc: see above under *Assessment Tasks*), where you only have one go at answering each question, you may attempt formative quizzes as many times as you like. However, sometimes 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. That is to encourage students to actively engage with the questions and not just guess the answers.

Citation Modules

In addition to the 12 topics that make up this unit, you will find on iLearn two self-study Citation Modules. These are designed to train you in finding and then correctly citing important international sources. Citation Module A relates to UN documents, while Citation Module B relates to treaties. Completion of the citation modules is optional. However, you will be assessed on your ability to cite international sources in the answers to the problem question and the final exam. As with the formative quizzes, you are allowed an unlimited number of attempts at each exercise.

You are strongly advised to complete Citation Module A in between studying Topics 2 and 3, and to complete Citation Module B in between your study of Topics 3 and 4. (ILearn is structured in accordance with this sequence of learning.)

In order to encourage you to complete the citation modules in a timely manner, two citation tests have been set up. Students are permitted to attempt those tests even if they have not completed the citation modules, although they will find the tests far easier once they have done so. Each test will consist of two questions and each question will be worth one mark. Students only stand to gain marks from the citation tests if they complete the required citations with absolute accuracy. The smallest variation from the prescribed answer (eg entering two spaces instead of one, or incorrect capitalisation) will mean that the mark is forfeited. Unlike citation exercises, students are permitted only one attempt at the citation test questions. No half marks will be awarded.

Note on collaboration re formative quizzes and citation modules

When it comes to the assessable tasks (the weekly quizzes, citation tests, problem question and final exam), the normal rules relating to academic honesty apply. That means that your answers to those assignments should be your own individual work. Collaboration in relation to answering those assignments will constitute academic dishonesty.

The formative quizzes (including the citation exercises that make up the citation modules) are treated differently. I have no objection to students working collaboratively in relation to those tasks. Indeed, if you are finding the citation exercises difficult then you are positively encouraged to work on them in groups. That said, if you decide to collaborate in relation to formative quizzes or citation exercises 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 formative quizzes and citation exercises, a specific discussion forum will be 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'.

Tutorials

Having developed a basic understanding of each topic by completing the on-line activities, tutorials 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. Tutorials 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 in a tutorial.

There will be 13 weeks of tutorials during the Session, starting in Week 1. Week 1 tutorials will deal mostly with administrative matters, while each subsequent tutorial will primarily relate to a

specific topic. All internal students should register in a tutorial group. Places are available on a first-come, first-served basis. You should attend the tutorial in which you are registered. However, if it proves difficult to do so then you may occasionally attend another tutorial without asking permission.

Please try not to be late arriving at a tutorial. They will start promptly at five minutes after their advertised commencement time and should end at least five minutes before their advertised finishing time (in order to provide time for students and staff to move from one class to another).

How to make tutorials interesting and useful

Tutorials only succeed if students actively participate. Tutorials are not meant to be simple rehashes of the lecture. In order to participate you need to adequately prepare for each tutorial. 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 the tutor's questions, but you are also free to pose your own questions, either to the tutor 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.

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', while posting questions relating to the formative quizzes and citation exercises to the forum headed 'Discussion Forum re Formative Quizzes and Citation Exercises'.

Unit Schedule

General notes:

- Lectures are delivered only via iLearn: there are no 'live' lectures in this unit.
- Each week's readings are listed in the *Schedule of Readings* (available on iLearn). The pages of the essential readings relevant to each sub-topic are also set out on iLearn itself.
- NB: In Week 1 (1 – 7 August) there will be a tutorial. Although there will be no set readings for the tutorial in Week 1, it will deal with important introductory and administrative matters. Students are strongly advised to attend.

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 off

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 7 August**
- Tutorials relating to this topic will be held in the week commencing 8 August (Week 2).

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 14 August**
- Tutorials relating to this topic will be held in the week commencing 15 August (Week 3).

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 21 August**
- Tutorials relating to this topic will be held in the week commencing 22 August (Week 4).

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 28 August**
- Tutorials relating to this topic will be held in the week commencing 29 August (Week 5).

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 4 September**
- Tutorials relating to this topic will be held in the week commencing 5 September (Week 6).

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 11 September**
- Tutorials relating to this topic will be held in the week commencing 12 September (Week 7).

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, Monday 3 October**
- Tutorials relating to this topic will be held in the week commencing 3 October (Week 8).

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 9 October**
- Tutorials relating to this topic will be held in the week commencing 10 October (Week 9).

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 16 October**
- Tutorials relating to this topic will be held in the week commencing 17 October (Week 10).

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, Sunday 23 October**

- Tutorials relating to this topic will be held in the week commencing 24 October (Week 11).

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 30 October**
- Tutorials relating to this topic will be held in the week commencing 31 October (Week 12).

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 6 November**
- Tutorials relating to this topic will be held in the week commencing 7 November (Week 13).

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

New Assessment Policy in effect from Session 2 2016 http://mq.edu.au/policy/docs/assessment/policy_2016.html. For more information visit http://students.mq.edu.au/events/2016/07/19/new_assessment_policy_in_place_from_session_2/

Assessment Policy prior to Session 2 2016 <http://mq.edu.au/policy/docs/assessment/policy.html>

Grading Policy prior to Session 2 2016 <http://mq.edu.au/policy/docs/grading/policy.html>

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

Complaint Management Procedure for Students and Members of the Public http://www.mq.edu.au/policy/docs/complaint_management/procedure.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**: 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 *iLearn* 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 timetable clashes then you should email the convenor or tutor (as appropriate) to arrange a mutually convenient appointment.

Disruption to study

In the absence of a successful application for special consideration due to a disruption to studies, any assessment task submitted after its published deadline will not be graded and will receive a mark of zero. Applications for special consideration are to be submitted 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.

Note below under 'General Assessment Information' for information on what to do if you miss a summative quiz or a tutorial.

Word limits and submission of work

Word limits will be strictly applied and work above the word limit will not be marked. All assessments in the unit are to be submitted electronically. Plagiarism detection software is used in this unit.

What do I do if I miss a tutorial?

If you are unable to attend a class then there is no need to apply for special consideration. Instead you should email your tutor as soon as possible after the class in question. Your tutor will ask you to do both of the following:

1. complete some written work as a partial substitute for attending the class. That written work should be emailed to your tutor prior to the following class and must be of a satisfactory standard.
2. post one or more comments to the general discussion forum relating to international law (not the one relating to administrative matters). Those comments must be designed to stimulate discussion on the topic covered in the tutorial you missed. For instance, you might voice an opinion and then ask a question relevant to that opinion. Alternatively, you may respond to a comment that has already been posted to the forum, doing so in such a way as to stimulate further debate.

If you find that you are regularly missing classes then you may need to consider withdrawing from the unit on the basis that you will be unable to adequately demonstrate satisfactory tutorial participation. The convenor will notify you if your absences become a matter of concern.

What do I do if I miss a quiz?

Ultimately, the situation is governed by the University's Disruption to Studies Policy. Even so, note that students are afforded 12 opportunities to complete just 10 quizzes. That means that if you miss one or two quizzes during the course of the session then you need not rush to apply for special consideration. That saves you the burden of needing to compile documentary evidence and applying online in accordance with the Disruption to Studies Policy. You only need to apply for special consideration via the Policy if you miss more than two quizzes.

If your application for special consideration is successful on the basis that your disruption will prevent you from completing 10 quizzes then you will be granted permission to complete a substitute quiz. Questions for these substitute quizzes will be released at the beginning of Week 13 and the deadline for these substitute quizzes will fall at the end of Week 13.

If you do not qualify for special consideration then you will simply have to forego the marks for the missed quiz. If you miss more than two quizzes then that does not automatically result in a fail.

You are strongly recommended not to miss a quiz unless it is unavoidable to do so. By assiduously attempting all quizzes from the outset you will be able to keep two quizzes in

reserve. Having quizzes in reserve may prove extremely helpful if you later miss a quiz due to circumstances that do not qualify for special consideration (eg you suffer a disruption of fewer than three days' duration or you simply forget a quiz deadline). By holding two quizzes in reserve, you would still have an opportunity to achieve full marks in the quiz component of the unit.

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://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.

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

- Demonstrate broad and coherent knowledge of the general characteristics and principles of public international law.
- Identify, find and correctly cite key primary sources of international law.
- Describe the role, rights and responsibilities of some major international organisations under international law.
- Explain and apply to unpredictable situations international law as it relates to the rights and responsibilities of states vis-a-vis other states and international institutions.
- Explain and apply to unpredictable situations international law as it relates to the rights and responsibilities of states when it comes to the treatment of their own nationals and corporations, as well as those of other states.
- Analyse the relationship between international and national law, particularly Australian law.
- Describe various means for the non-violent settlement of disputes between states.
- Advise on international law under time constraints and using limited resources.

Assessment tasks

- Weekly quizzes (Quiz A to M)
- Citation tests
- Problem question
- Final examination

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:

Learning outcomes

- Identify, find and correctly cite key primary sources of international law.
- Explain and apply to unpredictable situations international law as it relates to the rights and responsibilities of states vis-a-vis other states and international institutions.
- Explain and apply to unpredictable situations international law as it relates to the rights and responsibilities of states when it comes to the treatment of their own nationals and

corporations, as well as those of other states.

- Analyse the relationship between international and national law, particularly Australian law.
- Describe various means for the non-violent settlement of disputes between states.
- Advise on international law under time constraints and using limited resources.

Assessment tasks

- Problem question
- Final examination

Effective Communication

We want to develop in our students the ability to communicate and convey their views in forms effective with different audiences. We want our graduates to take with them the capability to read, listen, question, gather and evaluate information resources in a variety of formats, assess, write clearly, speak effectively, and to use visual communication and communication technologies as appropriate.

This graduate capability is supported by:

Learning outcome

- Participate constructively in discussion and other classroom activities in order to understand, analyse and critique the basics of international law.

Assessment task

- Tutorial participation

Changes from Previous Offering

The following changes have been made since the first 2016 offering of this unit:

1. A formal, invigilated examination has replaced the previous online exam;
2. The standard remedy for missing a tutorial has been changed slightly.