LAWS519

International Human Rights Law

S1 Day 2017

Dept of Law

Contents

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General Information

Unit convenor and teaching staff
Unit Convenor
Carolyn Adams
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W3A 511
Monday 14.00 to 15.00

Tutor
Conor Keane
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Credit points
3

Prerequisites
39cp at 100 level or above

Corequisites
LAWS259 or LAW409 or LAW459 or LAW509

Co-badged status

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

Important Academic Dates

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

Learning Outcomes

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

Demonstrate an understanding of the foundations and evolution of the international human rights law system--within the broader international law framework--and the resulting strengths and weaknesses of the system.

Evaluate and compare the mechanisms available for monitoring and enforcing human rights standards in different international and regional systems.

Engage constructively with various critiques and theories of human rights--for example, whether rights are universal or particular--and be able to critically discuss the significance of those approaches in the development, interpretation and operation of international human rights law.

Reflect on past and present international developments, and be able to analyse and interpret such developments from an international human rights law perspective.

General Assessment Information

Disruption to Studies

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 a Disruption to Studies are 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.

Submission

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

Format

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

Word Limits

Word limits will be strictly applied and work above the word limit will not be assessed.

Moderation

Detailed marking rubrics will be made available on iLearn. In addition, tutors will be provided with detailed marking guides to ensure consistency. All fail papers will be double marked. The Unit Convenor and Tutors will meet to review final grades for the unit.

Assessment Tasks

Name	Weighting	Hurdle	Due
Online Quiz	5%	No	Week 3, 17 March 2017
Attendance & Team Project	15%	No	Ongoing
Research Essay	40%	No	Friday, 21 April 2017
Final Take Home Exam	40%	No	14 June 2017

Online Quiz

Due: **Week 3, 17 March 2017**
Weighting: **5%**

You are required to complete an online quiz, which will cover the lecture readings set in Weeks 1 and 2. The quiz will contain 10 multiple choice questions and is designed to encourage you to start reading early and to provide early feedback to you on your understanding of the readings.

You will have 30 minutes to do the quiz and you are required to complete the quiz on the unit iLearn page before **5 pm on Friday, 17 March 2017.**

On successful completion you will be able to:

- Demonstrate an understanding of the foundations and evolution of the international human rights law system--within the broader international law framework--and the resulting strengths and weaknesses of the system.

Attendance & Team Project

Due: **Ongoing**
Weighting: **15%**

Attendance

You are required to attend 10 out of 13 tutorials over the course of the session. If you miss more than 3 tutorials, and in the absence of a successful Disruption to Studies application, you will lose 1% of your total marks for this unit for each tutorial that you do not attend up to a maximum of 10%.

You are required to present your team presentation during the relevant weekly tutorial, see below. Therefore, if you do not attend that particular tutorial, in the absence of a successful Disruption to Studies application, you will also lose the 5% of your marks that is awarded for the team component of the Team Project. This means that if you don't attend the tutorial in which your team is making its team presentation, and in the absence of a successful Disruption to Studies application, you will lose 5% of the total marks for this unit.

Team Project

In Week 1 you will be randomly assigned to a small team of students and each team will be randomly assigned one tutorial from Weeks 7 to 12. The tutorial readings and some basic questions will be set out on the iLearn page in each week. Your team will be responsible for preparing and presenting the assigned tutorial materials to the class during the relevant tutorial including: introducing the topic, presenting the questions for discussion, engaging the class in the discussion and designing and leading group work and other activities around the tutorial materials and questions. You will have **50 minutes** to run your team tutorial presentation.

Your Team Presentation will be marked as follows:

- The team component is worth 5% of your grade. It is intended to assess those elements of the project that result from team members working together in a collaborative and supportive manner. Each team member will receive the same mark for this component except where a team member is not present, or does not actively participate, in the presentation. In these circumstances, and in the absence of a successful Disruption to Studies application, you will receive 0 out of 5% for this element of assessment.

- The individual component is worth 10% of your grade. The individual component of your grade will be based on your attendance at tutorials and an assessment by the tutor of your individual contribution to the team tutorial presentation. You will be assessed on the basis of your presentation and so it is important that, in designing your tutorial presentation, you ensure that each team member has an approximately equal role in presenting the material to the class.

If you are unable to attend a tutorial due to a serious and unavoidable disruption, you should submit a Disruption to Studies application online by visiting ask.mq.edu.au.

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- Engage constructively with various critiques and theories of human rights--for example, whether rights are universal or particular--and be able to critically discuss the significance of those approaches in the development, interpretation and operation of international human rights law.
- Reflect on past and present international developments, and be able to analyse and interpret such developments from an international human rights law perspective.

Research Essay

Due: **Friday, 21 April 2017**
Weighting: **40%**

You are required to submit an essay in response to a choice of two questions, which will test your ability to exercise autonomy in your research and writing. The maximum word limit for the essay will be 2000 words. Please note that this is an absolute maximum and that any words beyond the word limit will not be read or taken into account in grading your essay.This word limit does not include footnotes, but footnotes must not include any substantive text. A bibliography is not required.

You are required to submit your essay by way of Turnitin on the unit iLearn page **before 5 pm on Friday, 21 April 2017.**

On successful completion you will be able to:
- Demonstrate an understanding of the foundations and evolution of the international human rights law system--within the broader international law framework--and the resulting strengths and weaknesses of the system.
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- Engage constructively with various critiques and theories of human rights--for example, whether rights are universal or particular--and be able to critically discuss the significance of those approaches in the development, interpretation and operation of international human rights law.
- Reflect on past and present international developments, and be able to analyse and interpret such developments from an international human rights law perspective.

Final Take Home Exam

Due: **14 June 2017**
Weighting: **40%**

You are required to complete a final take home exam during the University examination period, which runs from Tuesday, 13 June 2017 to Friday, 30 June 2017.

The final take home exam in this unit will be posted on the unit iLearn page at 12 pm on Wednesday, 14 June 2017 and will be due before 8 pm on Wednesday, 14 June 2017.

The examination will comprise four (4) short answer questions and an essay. You will be given a choice of eight (8) short answer questions and a choice of two (2) essay topics. The questions and the essay topics may be drawn from any part of the course. Each response to a short answer question must not exceed 300 words. Your response to all four of the short answer questions must not exceed 1200 words. Your response to the essay question must not exceed 1000 words. Please note that these are absolute maximums and that any words beyond the

word limits will not be read or taken into account in grading your final assignment. These word limits do not include footnotes, but footnotes must not include any substantive text. A bibliography is not required.

You will have 8 hours to complete the final take home exam, although the exam itself should take you no longer than 2 hours in total. The exam is available over an 8 hour period to allow for work, family and other commitments, including other exams, and for students who require reasonable adjustments to the timing of assessments.

You are required to submit your final assignment by way of Turnitin on the unit iLearn page. Your final assignment must be submitted as two separate documents: (1) Responses to short answer questions; and (2) Response to essay question.

On successful completion you will be able to:

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- Reflect on past and present international developments, and be able to analyse and interpret such developments from an international human rights law perspective.

Delivery and Resources

Technology used and required

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

Delivery

The unit will be delivered as a series of weekly two hour lectures running from Week 1 until Week 13, which will be recorded on Echo360. It is important that you attend or listen to the lectures every week for guidance on content and how best to approach the various assessment items. The unit will include a series of weekly one hour tutorials running from Week 1 until Week 13 and attendance at at least 10 of these is compulsory. You are required to deliver your team tutorial presentation and to participate in the discussion of the other tutorial materials and questions during tutorials.

Unit materials

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

- Olivier De Schutter, *International Human Rights Law: Cases, Materials and Commentary* (Cambridge University Press, 2nd ed, 2014); and
- D Moeckli, S Shah and S Sivakumaran (eds), *International Human Rights Law* (Oxford University Press, 2nd ed, 2014).

Preparatory readings

In preparation for LAWS519, you should read the following material from the prescribed textbook to refresh your understanding of basic international law sources and principles:

- Christine Chinkin, 'Sources' in D Moeckli, S Shah and S Sivakumaran (eds), *International Human Rights Law* (Oxford University Press, 2nd ed, 2014) 75-95.

Unit Schedule

A detailed weekly schedule will be provided on the unit iLearn page. The topics to be covered in this unit are as follows:

Week 1 History of Human Rights

Week 2 Theories of Human Rights

Week 3 Civil and Political Rights

Week 4 Economic, Social and Cultural Rights

Week 5 Limitations on Human Rights

Week 6 Enforcement of Human Rights I

Week 7 Enforcement of Human Rights II

Week 8 The Right to Asylum

Week 9 Rights of Peoples

Week 10 Children's Rights

Week 11 Measuring Progress

Week 12 Theoretical Critiques

Week 13 Institutional Challenges

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_2016.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 (in effect until Dec 4th, 2017): http://www.mq.edu.au/policy/docs/disruption_studies/policy.html

Special Consideration Policy (in effect from Dec 4th, 2017): https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policies/special-consideration

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

Student Code of Conduct

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

Results

Results shown in *iLearn*, or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in eStudent. For more information visit ask.mq.edu.au.

Student Support

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

Learning Skills

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

- Workshops
- StudyWise
- Academic Integrity Module for Students
- Ask a Learning Adviser

Student Services and Support

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

Student Enquiries

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

IT Help

For help with University computer systems and technology, visit http://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

Creative and Innovative

Our graduates will also be capable of creative thinking and of creating knowledge. They will be imaginative and open to experience and capable of innovation at work and in the community. We want them to be engaged in applying their critical, creative thinking.

This graduate capability is supported by:

Assessment task

- Attendance & Team Project

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

Assessment tasks

- Online Quiz

- Attendance & Team Project

- Research Essay

- Final Take Home Exam

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

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- Evaluate and compare the mechanisms available for monitoring and enforcing human rights standards in different international and regional systems.

- Engage constructively with various critiques and theories of human rights--for example, whether rights are universal or particular--and be able to critically discuss the significance of those approaches in the development, interpretation and operation of international human rights law.

- Reflect on past and present international developments, and be able to analyse and interpret such developments from an international human rights law perspective.

Assessment tasks

- Attendance & Team Project

- Research Essay

- Final Take Home Exam

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

- Demonstrate an understanding of the foundations and evolution of the international human rights law system--within the broader international law framework--and the resulting strengths and weaknesses of the system.

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- Engage constructively with various critiques and theories of human rights--for example, whether rights are universal or particular--and be able to critically discuss the significance of those approaches in the development, interpretation and operation of international human rights law.

- Reflect on past and present international developments, and be able to analyse and interpret such developments from an international human rights law perspective.

Assessment tasks

- Attendance & Team Project
- Research Essay
- Final Take Home Exam

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 outcomes

- Demonstrate an understanding of the foundations and evolution of the international human rights law system--within the broader international law framework--and the resulting strengths and weaknesses of the system.

- Evaluate and compare the mechanisms available for monitoring and enforcing human rights standards in different international and regional systems.

- Engage constructively with various critiques and theories of human rights--for example, whether rights are universal or particular--and be able to critically discuss the significance of those approaches in the development, interpretation and operation of international human rights law.

- Reflect on past and present international developments, and be able to analyse and

interpret such developments from an international human rights law perspective.

Assessment tasks

- Attendance & Team Project
- Research Essay
- Final Take Home Exam

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

- Demonstrate an understanding of the foundations and evolution of the international human rights law system--within the broader international law framework--and the resulting strengths and weaknesses of the system.
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- Engage constructively with various critiques and theories of human rights--for example, whether rights are universal or particular--and be able to critically discuss the significance of those approaches in the development, interpretation and operation of international human rights law.
- Reflect on past and present international developments, and be able to analyse and interpret such developments from an international human rights law perspective.

Assessment tasks

- Research Essay
- Final Take Home Exam

Changes from Previous Offering

An online quiz has been added to the assessment regime to provide early feedback to students. Attendance at tutorials is now compulsory and students will be asked to give a team presentation of one of the tutorials. The number of questions in the final exam has been reduced and the time available to complete the final exam has also been reduced. As a result the final exam weighting has been reduced from 50% to 40%.