



LAWS8087

International Human Rights Law

Session 1, Infrequent attendance, North Ryde 2020

Macquarie Law School

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General Information

Unit convenor and teaching staff

Convenor

Carolyn Adams

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Contact via Email

6FW 511

Monday 15.00 to 16.00

Tutor

Danielle Moon

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Contact via Email

Credit points

10

Prerequisites

(Admission to JD and 80cp in LAWS or LAW units at 6000 level or above) or (admission to LLM) (admission to MIntTrdeComLaw))

Corequisites

Co-badged status

Unit description

This unit addresses the fundamental and dynamic issue of the protection of human rights in international law. The unit traces the historical development of human rights law at national, regional and global levels. It considers theoretical frameworks for analysing the rights of individuals and groups and the duties of states to protect those rights. It considers the strengths and limitations of 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, with a focus on contemporary challenges for international human rights law. Building on the foundations provided in the unit readings and discussion, students have the opportunity to explore a rights issue of particular personal interest.

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:

ULO1: demonstrate, both orally and in writing, 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.

ULO2: evaluate and compare, both orally and in writing, the mechanisms available for monitoring and enforcing human rights standards in different international and regional systems.

ULO3: engage constructively with various critiques and theories of human rights — for example, whether rights are universal or particular — and be able to critically discuss, both orally and in writing, the significance of those approaches in the development, interpretation and operation of international human rights law.

ULO4: demonstrate capacity for autonomous research by developing an individual research proposal and project that critically analyses a current issue or development from an international human rights law perspective.

Assessment Tasks

Coronavirus (COVID-19) Update

Assessment details are no longer provided here as a result of changes due to the Coronavirus (COVID-19) pandemic.

Students should consult [iLearn](#) for revised unit information.

[Find out more about the Coronavirus \(COVID-19\) and potential impacts on staff and students](#)

General Assessment Information

Late Assessment Penalty

Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests.

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.

Delivery and Resources

Coronavirus (COVID-19) Update

Any references to on-campus delivery below may no longer be relevant due to COVID-19.

Please check here for updated delivery information: https://ask.mq.edu.au/account/pub/display/unit_status

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 on-campus session will be held on **Wednesday, 22 April and Thursday, 23 April 2020**.

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, 3rd ed, 2019); and
- D Moeckli, S Shah and S Sivakumaran (eds), *International Human Rights Law* (Oxford University Press, 3rd ed, 2018).

Preparatory readings

In preparation for LAWS8087, 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, 3rd ed, 2018) 63-85.

Unit Schedule

Coronavirus (COVID-19) Update

The unit schedule/topics and any references to on-campus delivery below may no longer be relevant due to COVID-19. Please consult [iLearn](#) for latest details, and check here for updated delivery information: https://ask.mq.edu.au/account/pub/display/unit_status

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 Public Holiday = No Lecture
- Week 9 Rights of Peoples
- Week 10 The Right to Asylum
- 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 \(https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central\)](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)

- [Fitness to Practice Procedure](#)
- [Grade Appeal Policy](#)
- [Complaint Management Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#) (**Note:** *The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.*)

Students seeking more policy resources can visit the [Student Policy Gateway](https://students.mq.edu.au/support/study/student-policy-gateway) (<https://students.mq.edu.au/support/study/student-policy-gateway>). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

If you would like to see all the policies relevant to Learning and Teaching visit [Policy Central](http://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central) (<http://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/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/study/getting-started/student-conduct>

Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) 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 or if you are a Global MBA student contact globalmba.support@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 help you improve your marks and take control of your study.

- [Getting help with your assignment](#)
- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

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

If you are a Global MBA student contact globalmba.support@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.