



# LAWS2000

## International Law

Session 2, Special circumstance, Other 2020

*Macquarie Law School*

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#### **Disclaimer**

Macquarie University has taken all reasonable measures to ensure the information in this publication is accurate and up-to-date. However, the information may change or become out-dated as a result of change in University policies, procedures or rules. The University reserves the right to make changes to any information in this publication without notice. Users of this publication are advised to check the website version of this publication [or the relevant faculty or department] before acting on any information in this publication.

#### **Notice**

As part of [Phase 3 of our return to campus plan](#), most units will now run tutorials, seminars and other small group learning activities on campus for the second half-year, while keeping an online version available for those students unable to return or those who choose to continue their studies online.

To check the availability of face-to-face and online activities for your unit, please go to [timetable viewer](#). To check detailed information on unit assessments visit your unit's iLearn space or consult your unit convenor.

## General Information

Unit convenor and teaching staff

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Tutor

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Credit points

10

Prerequisites

60cp including LEX101 or LAWS1010 or LAW115 or LAWS1000

Corequisites

Co-badged status

Unit description

This unit introduces public international law's key principles, rules, and concepts, examining how they shape contemporary international relations. It addresses the formation of international law, exploring particularly the processes of treaty negotiation and creation, and the development of customary international law. The unit explores the rights and responsibilities of states vis-a-vis each other, their own nationals and those of other states, the limits of state jurisdiction, state and diplomatic immunity, international dispute settlement, international use of force. The unit also examines the impact of international law on the Australian legal system. In covering these areas students explore how international law seeks to resolve real problems facing the international community.

## 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 broad and coherent knowledge of the general characteristics and principles of public international law, and the ability to locate, interpret, and apply primary

sources of international law.

**ULO2:** Examine the role, rights and responsibilities of both states and non-state actors under international law, and the ways in which the international legal system is evolving.

**ULO3:** Explain and apply international law to both actual and hypothetical situations as it relates to the rights and responsibilities of states vis-a-vis other states and international institutions.

**ULO4:** Analyse international law from the perspective of national interests, and collaborate with peers to negotiate the terms of an international treaty or other instrument.

## General Assessment Information

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.

Word limits will be strictly applied and work above the word limit will not be marked. Footnotes are only to be used for referencing. Substantive material in footnotes will not be marked.

All assessments in the unit are to be submitted electronically via Turnitin. Plagiarism detection software is used in this unit.

All assessments must be appropriately referenced, applying the *Australian Guide to Legal Citation* (4th ed). The Guide is available here <<http://mulr.law.unimelb.edu.au/go/AGLC3>>.

Assessments must be submitted in double line spaced text, 12 point, Times New Roman font. Headings and subheadings should be used where appropriate.

Detailed marking rubrics will be made available on iLearn. Markers in this Unit undertake a process to establish a common marking standard and all Fail papers are double marked.

## Assessment Tasks

Name	Weighting	Hurdle	Due
<a href="#">Online Contributions</a>	30%	No	Ongoing
<a href="#">Research Essay</a>	30%	No	02/11/2020
<a href="#">Treaty Negotiation</a>	40%	No	Various, see iLearn for details

### Online Contributions

Assessment Type <sup>1</sup>: Non-academic writing

Indicative Time on Task <sup>2</sup>: 20 hours

Due: **Ongoing**

Weighting: **30%**

Students will produce concise submissions online based on applying international law to real and fictional scenarios.

On successful completion you will be able to:

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

## Research Essay

Assessment Type <sup>1</sup>: Essay

Indicative Time on Task <sup>2</sup>: 30 hours

Due: **02/11/2020**

Weighting: **30%**

Students will submit a research essay examining contemporary issue in international law

On successful completion you will be able to:

- Demonstrate broad and coherent knowledge of the general characteristics and principles of public international law, and the ability to locate, interpret, and apply primary sources of international law.
- Examine the role, rights and responsibilities of both states and non-state actors under international law, and the ways in which the international legal system is evolving.
- Explain and apply international law to both actual and hypothetical situations as it relates to the rights and responsibilities of states vis-a-vis other states and international institutions.

## Treaty Negotiation

Assessment Type <sup>1</sup>: Simulation/role play

Indicative Time on Task <sup>2</sup>: 30 hours

Due: **Various, see iLearn for details**

Weighting: **40%**

Students will participate in a treaty negotiation across the session including collaborative and written elements

On successful completion you will be able to:

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

- Analyse international law from the perspective of national interests, and collaborate with peers to negotiate the terms of an international treaty or other instrument.

<sup>1</sup> If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the [Writing Centre](#) for academic skills support.

<sup>2</sup> Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

## Delivery and Resources

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:

- James Crawford, *Brownlie's Principles of Public International Law, 9th edition*, Oxford University Press 2019

Other readings, both essential and recommended will be provided via Leganto and accessible from iLearn.

In addition to the secondary sources (book chapters, journal articles, etc), 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. 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.

## Unit Schedule

Week 1	History and Purpose of International Law
Week 2	Sources of International Law
Week 3	Law of Treaties (1) (treaty making)
Week 4	Law of Treaties (2) (interpretation and operation)
Week 5	Statehood, Legal Personality
Week 6	Jurisdiction and Sovereignty
Week 7	State Responsibility

Week 8	Immunities
Week 9	Use of Force
Week 10	Enforcement of International Law and Dispute Resolution
Week 11	International Court of Justice
Week 12	Relationship between International and Domestic Law
Week 13	Revision

## 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 \(https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central\)](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central).

## 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](mailto: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](http://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](mailto: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/](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.