



# LAWS8015

## International Law

Session 2, Special circumstance 2020

*Macquarie Law School*

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#### Disclaimer

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#### 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

Shawkat Alam

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Tutor

Abdullah-Al Arif

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Contact via 0469025871

Credit points

10

Prerequisites

Admission to GradCertLaw or JD or LLM or MIntTrdeComLaw

Corequisites

Co-badged status

Unit description

Public international law regulates the legal issues that have global or transboundary dimensions. Through this unit students evaluate the effectiveness of international law in addressing real problems that confront the international community. The unit provides an introduction to public international law's key principles, rules, norms and practices. Coverage includes the role of the United Nations, the law of treaties, 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 and the relationship between international law and Australia's legal 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:

**ULO1:** Demonstrate an advanced knowledge of the fundamental principles of public international law including the identification and analysis of key primary sources of international law including treaties and case law.

**ULO2:** Describe the role, rights and responsibilities of some major international organisations under international law.

**ULO3:** Apply international law to complex situations and explain the operation of the rights and responsibilities of states in relation to other states; international institutions; private interests and domestic populations.

**ULO4:** Critically analyse the relationship between international and national law, particularly Australian law.

**ULO5:** Describe and assess the various means for dispute resolution at international law

## 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. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests. Word limits will be strictly applied and work above the word limit will not be marked. Foot notes are only to be used for referencing. Substantive material in footnotes will not be marked. All written assessments in the unit are to be submitted electronically via Turnitin. Plagiarism detection software is used in this unit. All written 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 a 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="#"><u>Legal Brief</u></a>	40%	No	10 September 2020
<a href="#"><u>Online test</u></a>	40%	No	5 November 2020
<a href="#"><u>Online discussion and participation</u></a>	20%	No	Ongoing

### Legal Brief

Assessment Type <sup>1</sup>: Professional writing

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

Due: **10 September 2020**

Weighting: **40%**

Students are to submit a legal brief in relation to an international law topic

On successful completion you will be able to:

- Demonstrate an advanced knowledge of the fundamental principles of public international law including the identification and analysis of key primary sources of international law including treaties and case law.
- Describe the role, rights and responsibilities of some major international organisations under international law.
- Critically analyse the relationship between international and national law, particularly Australian law.
- Describe and assess the various means for dispute resolution at international law

## Online test

Assessment Type <sup>1</sup>: Quiz/Test

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

Due: **5 November 2020**

Weighting: **40%**

Students will complete a timed assessment online

On successful completion you will be able to:

- Demonstrate an advanced knowledge of the fundamental principles of public international law including the identification and analysis of key primary sources of international law including treaties and case law.
- Apply international law to complex situations and explain the operation of the rights and responsibilities of states in relation to other states; international institutions; private interests and domestic populations.
- Critically analyse the relationship between international and national law, particularly Australian law.

## Online discussion and participation

Assessment Type <sup>1</sup>: Participatory task

Indicative Time on Task <sup>2</sup>: 18 hours

Due: **Ongoing**

Weighting: **20%**

Students will engage in discussion of unit topics online

On successful completion you will be able to:

- Demonstrate an advanced knowledge of the fundamental principles of public international law including the identification and analysis of key primary sources of international law including treaties and case law.
- Describe the role, rights and responsibilities of some major international organisations under international law.
- Apply international law to complex situations and explain the operation of the rights and responsibilities of states in relation to other states; international institutions; private interests and domestic populations.
- Critically analyse the relationship between international and national law, particularly Australian law.
- Describe and assess the various means for dispute resolution at international law

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<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

### Lectures

This unit consists of 13 topics, as set out on the iLearn website. Each topic will be covered in a recorded lecture, which will be made available in Echo360. Lectures are intended to provide an overview of the topic, indicate its most essential aspects and, hopefully, make the related readings more interesting and accessible. There will be 13 weeks of tutorials during the Session. Lectures will commence from week 1 and tutorials will commence from week 2.

### 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:

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 via 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 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 Nature of International Law

Week 2 Sources of International Law

Week 3 Law of Treaties

Week 4 Treaty Interpretation and Enforcement

Week 5 Statehood and 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

Week 11 International Court of Justice

Week 12 Relationship between International and Domestic Law

Week 13 International Law in a Disorderly World

## 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](http://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](https://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.