



# LAWS5019

## International Human Rights Law

Session 1, Special circumstances, Other 2021

*Macquarie Law School*

### Contents

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<a href="#"><u>General Information</u></a>	2
<a href="#"><u>Learning Outcomes</u></a>	2
<a href="#"><u>General Assessment Information</u></a>	3
<a href="#"><u>Assessment Tasks</u></a>	3
<a href="#"><u>Delivery and Resources</u></a>	6
<a href="#"><u>Unit Schedule</u></a>	7
<a href="#"><u>Policies and Procedures</u></a>	8
<a href="#"><u>Changes since First Published</u></a>	9

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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 activities on campus, and most will keep an online version available to those students unable to return or those who choose to continue their studies online.

To check the availability of face-to-face 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

Convenor

Amy Barrow

Contact via contact via iLearn

6 First Walk 522

See iLearn for further details

Credit points

10

Prerequisites

(130cp in LAW or LAWS units) or (130cp including LAWS259 or LAWS2000)

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. The unit considers the 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 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:

**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:** reflect on past and present international developments, both orally and in writing, and be able to analyse, interpret and explain such developments from an international human rights law perspective.

## 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.

## Assessment Tasks

Name	Weighting	Hurdle	Due
<a href="#"><u>Facilitation and Participation</u></a>	15%	No	Ongoing
<a href="#"><u>Multiple Choice Quiz</u></a>	5%	No	5pm Wednesday 17 March 2021
<a href="#"><u>Final Take Home Test</u></a>	40%	No	Wednesday 9 June 2021 1-5 pm

Name	Weighting	Hurdle	Due
<a href="#">Research Essay</a>	40%	No	5pm Friday 30 April 2021

## Facilitation and Participation

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

Indicative Time on Task <sup>2</sup>: 10.00 hours

Due: **Ongoing**

Weighting: **15%**

Students will be required to facilitate and participate in weekly discussions, problem solving tasks or debates, both individually and in teams according to allocations made by teaching staff.

On successful completion you will be able to:

- 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.
- evaluate and compare, both orally and in writing, 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, both orally and in writing, the significance of those approaches in the development, interpretation and operation of international human rights law.
- reflect on past and present international developments, both orally and in writing, and be able to analyse, interpret and explain such developments from an international human rights law perspective.

## Multiple Choice Quiz

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

Indicative Time on Task <sup>2</sup>: 0.50 hours

Due: **5pm Wednesday 17 March 2021**

Weighting: **5%**

Students are required to complete an online multiple choice quiz, covering material addressed in the early part of the course. The quiz is designed to encourage students to start reading early and to provide early feedback on students' understanding of the readings. This is a timed assessment and no late submissions are accepted.

On successful completion you will be able to:

- 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.

## Final Take Home Test

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

Indicative Time on Task <sup>2</sup>: 2.5 hours

Due: **Wednesday 9 June 2021 1-5 pm**

Weighting: **40%**

Students are required to complete a final take home test comprising short answer and essay questions. The questions and essay topics may be drawn from any part of the course, including the tutorial material. This is a timed assessment and no late submissions will be accepted.

On successful completion you will be able to:

- 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.
- evaluate and compare, both orally and in writing, 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, both orally and in writing, the significance of those approaches in the development, interpretation and operation of international human rights law.
- reflect on past and present international developments, both orally and in writing, and be able to analyse, interpret and explain such developments from an international human rights law perspective.

## Research Essay

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

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

Due: **5pm Friday 30 April 2021**

Weighting: **40%**

Students are required to submit an essay in response to a choice of questions, which will test their ability to exercise autonomy in their research and writing.

On successful completion you will be able to:

- 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.

- evaluate and compare, both orally and in writing, 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, both orally and in writing, the significance of those approaches in the development, interpretation and operation of international human rights law.
- reflect on past and present international developments, both orally and in writing, and be able to analyse, interpret and explain such developments from an international human rights law perspective.

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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

### 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 online lectures (two-hours in total) running from Week 1 until Week 13, which will be recorded on Echo360. It is important that you 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 to Week 13 and attendance at at least 10 of these is compulsory. Tutorials are delivered either face to face or online. You should check the timetable to confirm whether the scheduled tutorial is delivered face to face or online. You will be required to present your team tutorial presentation during weekly tutorials and to participate in the other presentations run by the tutor and your class mates, who require your presence and participation to make each presentation a success.

For students taking the unit in intensive/infrequent mode, tutorials will be delivered online in intensive mode on **Wednesday 14 April** and **Thursday 15 April (9-4pm both days)**.

Attendance and participation is compulsory. You will be required to present your team tutorial presentation online and to participate in the other presentations run by the tutor and your class mates, who require your presence and participation to make each presentation a success. Further details about the schedule will be provided on iLearn.

### **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 this unit, 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**

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 (NB: Public Holiday No Tutorials on Friday 2 April 2021)

Week 7 Enforcement of Human Rights II

Week 8 Rights of Peoples

Week 9 Women's Rights

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 \(https://policies.mq.edu.au\)](https://policies.mq.edu.au). 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](#)

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

To find other policies relating to Teaching and Learning, visit [Policy Central \(https://policies.mq.edu.au\)](https://policies.mq.edu.au) and use the [search tool](#).

## Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/admin/other-resources/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](https://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](https://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](http://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.

## Changes since First Published

Date	Description
04/02/2021	Unit schedule amended.