LAWS8087

International Human Rights Law

Session 1, Special circumstances 2021

Macquarie Law School

Contents

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

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.

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. All fail papers will be double marked.

Assessment Tasks

Name	Weighting	Hurdle	Due
Multiple Choice Quiz	5%	No	5pm Wednesday 17 March
Research Essay Proposal	15%	Yes	5 pm Friday 19 March 2021
Research Essay	40%	No	5pm Friday 14 May 2021

Name	Weighting	Hurdle	Due
Final Take Home Test	40%	No	Wednesday 9 June 1-5 pm

Multiple Choice Quiz

Assessment Type [1]: Quiz/Test
Indicative Time on Task [2]: 0.50 hours
Due: **5pm Wednesday 17 March**
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.

Research Essay Proposal

Assessment Type [1]: Plan
Indicative Time on Task [2]: 7.00 hours
Due: **5 pm Friday 19 March 2021**
Weighting: **15%**
This is a hurdle assessment task (see assessment policy for more information on hurdle assessment tasks)

Students are required to develop and submit a research proposal for their research essay relating to a current issue or development arising under the International Covenant on Civil and Political Rights or the International Covenant on Economic, Social and Cultural Rights. The proposal must clearly set out the proposed research question and approach to the question.

On successful completion you will be able to:

- 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.

Research Essay

Assessment Type [1]: Essay
Indicative Time on Task [2]: 30.00 hours
Due: **5pm Friday 14 May 2021**

Weighting: **40%**

Students are required to submit a research essay — based on their research essay proposal — that critically analyses a current issue or development arising under the International Covenant on Civil and Political Rights or the International Covenant on Economic, Social and Cultural Rights from an international human rights law perspective.

On successful completion you will be able to:
- 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.
- 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.

Final Take Home Test

Assessment Type [1]: Quiz/Test
Indicative Time on Task [2]: 2.5 hours
Due: **Wednesday 9 June 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.

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[1] 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.

[2] 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 two hour lectures 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. Additionally, all students are expected to attend two intensive study days delivered via Zoom on **Thursday 8 April** and on **Sunday 30 May 2021** (both 9-4pm). Further details about the schedule for intensive study days will be available 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 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

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 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://policie s.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/su pport/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.e du.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 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.

Changes since First Published

Date	Description
04/02/2021	Unit schedule amended.