LAWS5019

International Human Rights Law

Session 1, Online-scheduled-weekday 2022

Macquarie Law School

Contents

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General Information

Unit convenor and teaching staff
Convenor and Lecturer
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511, 6 First Walk
See iLearn for details

Convenor and Lecturer
Amy Barrow
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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.

>**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.

>**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.

>**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

Students should be aware of and apply the University policy on academic honesty.

Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – 10 marks out of 100 credit will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted seven 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 to check all written assessments.

Students should carefully check that they submit the correct file for an assessment as no re-submissions will be accepted after the due date and time, including instances where students upload an incorrect file in error.

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 are strictly applied. Work above the word limit will not be marked. Footnotes are to

be used only for referencing. Referencing must conform to the requirements set out in the Australian Guide to Legal Citation.

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
Facilitation and Participation	15%	No	Ongoing
Multiple Choice Quiz	5%	No	5pm on Wednesday 16/03/2022
Research Essay	40%	No	5pm on Friday 22/04/2022
Final Take Home Test	40%	No	Scheduled from 1-5pm on Tuesday 14/06/2022

Facilitation and Participation

Assessment Type [1]: Participatory task
Indicative Time on Task [2]: 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.
- 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.
- evaluate and compare, both orally and in writing, the mechanisms available for monitoring and enforcing human rights standards in different international and regional systems.

- 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 [1]: Quiz/Test
Indicative Time on Task [2]: 0.50 hours
Due: **5pm on Wednesday 16/03/2022**
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

Assessment Type [1]: Essay
Indicative Time on Task [2]: 30 hours
Due: **5pm on Friday 22/04/2022**
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.
- 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.
- evaluate and compare, both orally and in writing, the mechanisms available for monitoring and enforcing human rights standards in different international and regional systems.

- 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.

Final Take Home Test

Assessment Type [1]: Quiz/Test
Indicative Time on Task [2]: 2.5 hours
Due: **Scheduled from 1-5pm on Tuesday 14/06/2022**
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.
- 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.
- evaluate and compare, both orally and in writing, the mechanisms available for monitoring and enforcing human rights standards in different international and regional systems.
- 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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[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 online lectures (two-hours in total) running from Week 1 until Week 13, which will be recorded and uploaded to 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 fully online, tutorials will be delivered online. You should check the timetable to confirm that your tutorial is online. Attendance and participation at at least 10 tutorials 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

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). 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
- Assessment Procedure
- Complaints Resolution 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). 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) 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

Academic Integrity

At Macquarie, we believe academic integrity – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free online writing and maths support, academic skills development and wellbeing consultations.

Student Support

Macquarie University provides a range of support services for students. For details, visit http://students.mq.edu.au/support/

The Writing Centre

The Writing Centre provides resources to develop your English language proficiency, academic writing, and communication skills.

- Workshops
- Chat with a WriteWISE peer writing leader
- Access StudyWISE
- Upload an assignment to Studiosity
- Complete the 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

Macquarie University offers a range of Student Support Services including:

- IT Support
- Accessibility and disability support with study
- Mental health support
- Safety support to respond to bullying, harassment, sexual harassment and sexual assault

- Social support including information about finances, tenancy and legal issues

Student Enquiries

Got a question? Ask us via AskMQ, or contact Service Connect.

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.