



# LAWS8087

## International Human Rights Law

Session 1, Online-scheduled-weekday 2022

*Macquarie Law School*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff

Convenor, Lecturer and Tutor

Amy Barrow

[amy.barrow@mq.edu.au](mailto:amy.barrow@mq.edu.au)

Contact via Contact via iLearn

522, 6 First Walk

See iLearn for details

Convenor and Lecturer

Carolyn Adams

[carolyn.adams@mq.edu.au](mailto:carolyn.adams@mq.edu.au)

Contact via Contact via iLearn

511, 6 First Walk

See iLearn for details

Credit points

10

Prerequisites

Admission to LLM or (Admission to JD and LAWS600 or LAWS8001)

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

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
<a href="#">Multiple Choice Quiz</a>	5%	No	5pm on Wednesday 16/03/2022
<a href="#">Research Essay Proposal</a>	15%	Yes	5pm on Friday 18/03/2022
<a href="#">Research Essay</a>	40%	No	5pm on Monday 16/05/2022
<a href="#">Final Take Home Test</a>	40%	No	Scheduled from 1-5pm on Tuesday 14/06/2022

### Multiple Choice Quiz

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

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

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

Indicative Time on Task <sup>2</sup>: 7.00 hours

Due: **5pm on Friday 18/03/2022**

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 <sup>1</sup>: Essay

Indicative Time on Task <sup>2</sup>: 30.00 hours

Due: **5pm on Monday 16/05/2022**

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

Indicative Time on Task <sup>2</sup>: 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.
- 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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<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 two hour lectures 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. Additionally, all students are expected to attend six two hour intensive tutorials delivered via Zoom between **7-9pm** on the following dates:

**Week 3: Monday 7th March**

**Week 5: Monday 21st March**

**Week 7: Monday 4th April**

**Week 9: Monday 2nd May**

**Week 11: Monday 16th May**

## **Week 13: Monday 30th May**

Further details about the schedule for the intensive tutorials 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 \(https://policies.mq.edu.au\)](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](#)
- [Assessment Procedure](#)
- [Complaints Resolution Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#)

Students seeking more policy resources can visit [Student Policies \(https://students.mq.edu.au/support/study/policies\)](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](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)

## 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/](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.