



# LAWS8015

## International Law

Session 2, In person-scheduled-weekday, North Ryde 2022

*Macquarie Law School*

### Contents

<u>General Information</u>	2
<u>Learning Outcomes</u>	2
<u>General Assessment Information</u>	3
<u>Assessment Tasks</u>	4
<u>Delivery and Resources</u>	6
<u>Unit Schedule</u>	6
<u>Policies and Procedures</u>	6

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## General Information

Unit convenor and teaching staff

Unit Convenor

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Contact via iLearn

Tutor

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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

### *Late Assessment Submission Penalty*

*Unless a Special Consideration request has been submitted and approved, a 5% penalty (of the total possible mark) will be applied each day a written assessment is not offered, up until the 7th day (including weekends). After the 7th day, a mark of '0' (zero) will be awarded even if the assessment is submitted. Submission time for all written assessments is set at 11.55 pm. A 1-hour grace period is provided to students who experience a technical issue.*

*This late penalty will apply to non-timed sensitive assessments (incl essays, reports, posters, portfolios, journals, recordings etc). **Late submission of time-sensitive tasks** (such as tests/ exams, performance assessments/presentations, scheduled practical assessments/labs etc) **will only be addressed by the unit convenor in a Special consideration application. Special Consideration outcome may result in a new question or topic.***

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

All assessments are submitted electronically. Turnitin 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.

Word limits will be strictly applied and work above the word limit will not be marked.

All assessments must be appropriately referenced, applying the Australian Guide to Legal Citation (4th ed).

Detailed marking rubrics are used and assessments are moderated.

## Assessment Tasks

Name	Weighting	Hurdle	Due
<u>Online test</u>	40%	No	17/09/2022 (between 12 pm and 5 pm)
<u>Legal Brief</u>	40%	No	25/10/2022 (11.55 pm)
<u>Participation</u>	20%	No	Ongoing; 05/11/2022 (11.55 pm)

### Online test

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

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

Due: **17/09/2022 (between 12 pm and 5 pm)**

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.

### Legal Brief

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

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

Due: **25/10/2022 (11.55 pm)**

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

## Participation

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

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

Due: **Ongoing; 05/11/2022 (11.55 pm)**

Weighting: **20%**

Participatory tasks such as quizzes, debates, discussions and problem solving exercises.

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.

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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

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 from 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 in order 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

Topics to be covered in the lectures and tutorials in this unit include:

The History and Purpose of International Law

Sources of International Law

Relations between International and National Law

Law of Treaties (1) (treaty-making)

Law of Treaties (2) (treaty interpretation and operation)

Statehood and Legal Personality

Jurisdiction and Sovereignty

State Responsibility

Immunities

Use of Force

Enforcement of International Law

Dispute Resolution

## 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.