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General Information

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Contact via iLearn

Christoph Sperfeldt
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Credit points
10

Prerequisites
60cp including LEX101 or LAWS1010 or LAW115 or LAWS1000

Corequisites

Co-badged status

Unit description
This unit introduces public international law's key principles, rules, and concepts, examining how they shape contemporary international relations. It addresses the formation of international law, exploring particularly the processes of treaty negotiation and creation, and the development of customary international law. The unit explores 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, international use of force. The unit also examines the impact of international law on the Australian legal system. In covering these areas students explore how international law seeks to resolve real problems facing the international community.

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 broad and coherent knowledge of the general characteristics and principles of public international law, and the ability to locate, interpret, and apply primary sources of international law.

ULO2: Examine the role, rights and responsibilities of both states and non-state actors under international law, and the ways in which the international legal system is evolving.

ULO3: Explain and apply international law to both actual and hypothetical situations as it relates to the rights and responsibilities of states vis-a-vis other states and international institutions.

ULO4: Analyse international law from the perspective of national interests, and understand how to negotiate the terms of an international treaty or other instrument.

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

<table>
<thead>
<tr>
<th>Name</th>
<th>Weighting</th>
<th>Hurdle</th>
<th>Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>Take-home assessment task</td>
<td>45%</td>
<td>No</td>
<td>17/09/2022 (between 12 pm and 5 pm)</td>
</tr>
<tr>
<td>Research Essay</td>
<td>40%</td>
<td>No</td>
<td>25/10/2022 11.55 pm</td>
</tr>
<tr>
<td>Class participation</td>
<td>15%</td>
<td>No</td>
<td>Ongoing; 05/11/2022 (11.55 pm)</td>
</tr>
</tbody>
</table>

Take-home assessment task
Assessment Type: Quiz/Test
Indicative Time on Task: 34 hours
Due: 17/09/2022 (between 12 pm and 5 pm)
Weighting: 45%

A timed assessment task covering the unit content

On successful completion you will be able to:
- Demonstrate broad and coherent knowledge of the general characteristics and principles of public international law, and the ability to locate, interpret, and apply primary sources of international law.
- Examine the role, rights and responsibilities of both states and non-state actors under international law, and the ways in which the international legal system is evolving.
- Explain and apply international law to both actual and hypothetical situations as it relates to the rights and responsibilities of states vis-a-vis other states and international institutions.
- Analyse international law from the perspective of national interests, and understand how to negotiate the terms of an international treaty or other instrument.

Research Essay
Assessment Type: Essay
Indicative Time on Task: 33 hours
Due: 25/10/2022 11.55 pm
Weighting: 40%

Students will submit a research essay examining contemporary issues in international law
On successful completion you will be able to:

- Demonstrate broad and coherent knowledge of the general characteristics and principles of public international law, and the ability to locate, interpret, and apply primary sources of international law.
- Examine the role, rights and responsibilities of both states and non-state actors under international law, and the ways in which the international legal system is evolving.
- Explain and apply international law to both actual and hypothetical situations as it relates to the rights and responsibilities of states vis-a-vis other states and international institutions.

Class participation

Assessment Type 1: Participatory task
Indicative Time on Task 2: 13 hours
Due: Ongoing; 05/11/2022 (11.55 pm)
Weighting: 15%

Participation in the weekly tutorials

On successful completion you will be able to:

- Demonstrate broad and coherent knowledge of the general characteristics and principles of public international law, and the ability to locate, interpret, and apply primary sources of international law.
- Examine the role, rights and responsibilities of both states and non-state actors under international law, and the ways in which the international legal system is evolving.
- Explain and apply international law to both actual and hypothetical situations as it relates to the rights and responsibilities of states vis-a-vis other states and international institutions.
- Analyse international law from the perspective of national interests, and understand how to negotiate the terms of an international treaty or other instrument.

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

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). Students should be aware of the following policies in particular with regard to Learning and Teaching:

• Academic Appeals Policy
• Academic Integrity Policy
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](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/](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

[https://unitguides.mq.edu.au/unit_offerings/153091/unit_guide/print](https://unitguides.mq.edu.au/unit_offerings/153091/unit_guide/print)
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.