



# LAWS2000

## International Law

Session 1, Online-scheduled-weekday 2023

*Macquarie Law School*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff

Unit Convenor

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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

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 submitted**, 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 11:55pm. A 1-hour grace period is provided to students who experience a technical issue.

This late penalty will apply to non-timed sensitive assessment (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 integrity and 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).

## Assessment Tasks

Name	Weighting	Hurdle	Due
<u>Research Essay</u>	40%	No	11:55pm 14/04/2023
<u>Take-home assessment task</u>	45%	No	07/06/2023 (between 2pm and 5pm)
<u>Class participation</u>	15%	No	Ongoing

## Research Essay

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

Indicative Time on Task <sup>2</sup>: 33 hours

Due: **11:55pm 14/04/2023**

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.

## Take-home assessment task

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

Indicative Time on Task <sup>2</sup>: 34 hours

Due: **07/06/2023 (between 2pm and 5pm)**

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.

## Class participation

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

Indicative Time on Task <sup>2</sup>: 13 hours

Due: **Ongoing**

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.

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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

This unit provides a well-rounded introduction to public international law and its main elements. It adopts an interdisciplinary approach to understand and critically engage with international law frameworks. Students will develop a robust understanding of international law principles and

systems and how these are put to the test in addressing contemporary issues of national and international concern.

Lectures will provide an overview of the subject, complemented by additional material and readings on iLearn.

The prescribed textbook for this unit is:

- Cecily Rose et al., *Introduction to Public International Law*, Cambridge University Press 2022.

A number hard copies are available in the MQ Library. In addition, Cambridge University Press offers discounts for purchasing the book in both e-version and hard copy. Further information on purchasing options will be available via iLearn.

Other essential and recommended readings will be provided via Leganto and on iLearn. In addition to the secondary sources, students are expected to consult and engage with relevant primary legal sources when completing their assignments.

## 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
- Statehood and Legal Personality
- Jurisdiction
- Immunities
- State Responsibility
- Use of Force
- Dispute Resolution
- Collective Security and Enforcement of International Law
- Cross-Cutting Issues relating to Contemporary International Law

## 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 Advocacy](#) provides independent advice on MQ policies, procedures, and processes

## 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.