



LAWS12070 *Public International and Human Rights Law*

Term 3 - 2020

Profile information current as at 19/04/2024 11:17 am

All details in this unit profile for LAWS12070 have been officially approved by CQU University and represent a learning partnership between the University and you (our student). The information will not be changed unless absolutely necessary and any change will be clearly indicated by an approved correction included in the profile.

General Information

Overview

Globalisation, economic liberalisation and technological advances have in the last three decades facilitated greater interaction and cooperation among States in ways never seen before. There is a greater awareness among States of their interdependence and the need for a concerted response to global issues such as global warming, environmental degradation, humanitarian crises, international refugees, human rights violations, rogue States, terrorism, military adventurism, and pandemics. In this era and context, Public International Law, which provides a regime of legal rules that governs the conduct and relations of sovereign States, and Human Rights Law have gained increasing importance. This unit will introduce you to Public International and Human Rights Law and their importance in the current legal and economic international order. It covers such topics as the sources of international law; subjects of international law; statehood and recognition of States and governments; territorial sovereignty; the law of the sea; international trade law; State responsibility; human rights and self-determination; international criminal justice; the law of treaties; and use of force.

Details

Career Level: *Undergraduate*

Unit Level: *Level 2*

Credit Points: 6

Student Contribution Band: 10

Fraction of Full-Time Student Load: 0.125

Pre-requisites or Co-requisites

Prerequisites: LAWS11057, LAWS11059, LAWS11061, LAWS11062, LAWS11063, LAWS11064, LAWS11060 and (LAWS11065 or LAWS12055)

Important note: Students enrolled in a subsequent unit who failed their pre-requisite unit, should drop the subsequent unit before the census date or within 10 working days of Fail grade notification. Students who do not drop the unit in this timeframe cannot later drop the unit without academic and financial liability. See details in the [Assessment Policy and Procedure \(Higher Education Coursework\)](#).

Offerings For Term 3 - 2020

- Online

Attendance Requirements

All on-campus students are expected to attend scheduled classes – in some units, these classes are identified as a mandatory (pass/fail) component and attendance is compulsory. International students, on a student visa, must maintain a full time study load and meet both attendance and academic progress requirements in each study period (satisfactory attendance for International students is defined as maintaining at least an 80% attendance record).

Website

[This unit has a website, within the Moodle system, which is available two weeks before the start of term. It is important that you visit your Moodle site throughout the term. Please visit Moodle for more information.](#)

Class and Assessment Overview

Recommended Student Time Commitment

Each 6-credit Undergraduate unit at CQUniversity requires an overall time commitment of an average of 12.5 hours of study per week, making a total of 150 hours for the unit.

Class Timetable

[Regional Campuses](#)

Bundaberg, Cairns, Emerald, Gladstone, Mackay, Rockhampton, Townsville

[Metropolitan Campuses](#)

Adelaide, Brisbane, Melbourne, Perth, Sydney

Assessment Overview

1. **Group Discussion**

Weighting: 10%

2. **Presentation and Written Assessment**

Weighting: 40%

3. **Written Assessment**

Weighting: 50%

Assessment Grading

This is a graded unit: your overall grade will be calculated from the marks or grades for each assessment task, based on the relative weightings shown in the table above. You must obtain an overall mark for the unit of at least 50%, or an overall grade of 'pass' in order to pass the unit. If any 'pass/fail' tasks are shown in the table above they must also be completed successfully ('pass' grade). You must also meet any minimum mark requirements specified for a particular assessment task, as detailed in the 'assessment task' section (note that in some instances, the minimum mark for a task may be greater than 50%). Consult the [University's Grades and Results Policy](#) for more details of interim results and final grades.

CQUniversity Policies

All University policies are available on the [CQUniversity Policy site](#).

You may wish to view these policies:

- Grades and Results Policy
- Assessment Policy and Procedure (Higher Education Coursework)
- Review of Grade Procedure
- Student Academic Integrity Policy and Procedure
- Monitoring Academic Progress (MAP) Policy and Procedure – Domestic Students
- Monitoring Academic Progress (MAP) Policy and Procedure – International Students
- Student Refund and Credit Balance Policy and Procedure
- Student Feedback – Compliments and Complaints Policy and Procedure
- Information and Communications Technology Acceptable Use Policy and Procedure

This list is not an exhaustive list of all University policies. The full list of University policies are available on the [CQUniversity Policy site](#).

Previous Student Feedback

Feedback, Recommendations and Responses

Every unit is reviewed for enhancement each year. At the most recent review, the following staff and student feedback items were identified and recommendations were made.

Feedback from Student evaluation and emails

Feedback

Quizzes

Recommendation

The ten weekly quizzes across the term generated a very positive response from students. The quizzes, comprising 10% of the grade, compelled students to actively engage with the unit every week. The quizzes were also the basis for in-depth discussion of key concepts during the weekly tutorials. Hence, quizzes should remain as part of the unit assessments.

Feedback from Student evaluation and emails

Feedback

Weekly tutorials

Recommendation

Students were very pleased with the breadth and depth of tutorial discussions, as well as the high level of student engagement and participation that the tutorial offered. Intensive and engaging weekly tutorials should continue to be key features of the unit.

Feedback from Student evaluation

Feedback

Marking feedback

Recommendation

Students appreciated the timely and detailed feedback and suggestions that were provided to the mid-term assessment. These assisted students in preparing for the final assessment. Detailed and timely feedback of key unit assessments should remain an important task of unit coordinators.

Unit Learning Outcomes

On successful completion of this unit, you will be able to:

1. Discuss and explain key topics of Public International and Human Rights Law, such as: the sources and subjects of international law; statehood and State sovereignty; international trade law; State responsibility; human rights and self-determination; and the law of treaties
2. Discuss, explain and apply key principles of Public International and Human Rights Law to real and theoretical contexts
3. Critically analyse, research and provide solutions to practical and theoretical questions concerning Public International and Human Rights Law.

Alignment of Learning Outcomes, Assessment and Graduate Attributes

 N/A Level Introductory Level Intermediate Level Graduate Level Professional Level Advanced Level

Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes		
	1	2	3
1 - Group Discussion - 10%	•	•	•
2 - Presentation and Written Assessment - 40%	•	•	•
3 - Written Assessment - 50%	•	•	•

Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes		
	1	2	3
1 - Communication	•	•	•
2 - Problem Solving	•	•	•
3 - Critical Thinking	•	•	•
4 - Information Literacy			•
5 - Team Work			
6 - Information Technology Competence			
7 - Cross Cultural Competence	•	•	•
8 - Ethical practice	•	•	•
9 - Social Innovation			
10 - Aboriginal and Torres Strait Islander Cultures			

Alignment of Assessment Tasks to Graduate Attributes

Assessment Tasks	Graduate Attributes									
	1	2	3	4	5	6	7	8	9	10
1 - Group Discussion - 10%	•	•	•	•	•		•	•		
2 - Presentation and Written Assessment - 40%	•	•	•	•			•	•		
3 - Written Assessment - 50%	•	•	•	•			•	•		

Textbooks and Resources

Textbooks

LAWS12070

Prescribed

International Law

Edition: 1st (2019)

Authors: Gleider Hernández

Oxford University Press

Oxford , United Kingdom

ISBN: 9780198748830

Binding: Paperback

Additional Textbook Information

Copies can be purchased at the CQUniversity Bookshop here: <http://bookshop.cqu.edu.au> (search on the Unit code)

[View textbooks at the CQUniversity Bookshop](#)

IT Resources

You will need access to the following IT resources:

- CQUniversity Student Email
- Internet
- Unit Website (Moodle)

Referencing Style

All submissions for this unit must use the referencing style: [Australian Guide to Legal Citation, 4th ed](#)
For further information, see the Assessment Tasks.

Teaching Contacts

Olasupo Owoeye Unit Coordinator

o.owoeye@cqu.edu.au

Schedule

Week 1 - 09 Nov 2020

Module/Topic	Chapter	Events and Submissions/Topic
International law in the modern context	Ademola Abass, International Law: Text, Cases, and Materials (Oxford University Press, 2nd ed, 2014) Chapter 1.	

Week 2 - 16 Nov 2020

Module/Topic	Chapter	Events and Submissions/Topic
Sources of international law	Ademola Abass, International Law: Text, Cases, and Materials (Oxford University Press, 2nd ed, 2014) Chapter 2.	

Week 3 - 23 Nov 2020

Module/Topic	Chapter	Events and Submissions/Topic
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The law of treaties
Ademola Abass, International Law: Text, Cases, and Materials (Oxford University Press, 2nd ed, 2014) Chapter 3.

Week 4 - 30 Nov 2020

Module/Topic	Chapter	Events and Submissions/Topic
Territory and the law of the sea	Ademola Abass, International Law: Text, Cases, and Materials (Oxford University Press, 2nd ed, 2014) Chapter 6.	Group Discussion Due: Week 4 Friday (4 Dec 2020) 11:45 pm AEST

Vacation Week - 07 Dec 2020

Module/Topic	Chapter	Events and Submissions/Topic
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Week 5 - 14 Dec 2020

Module/Topic	Chapter	Events and Submissions/Topic
Jurisdiction	Ademola Abass, International Law: Text, Cases, and Materials (Oxford University Press, 2nd ed, 2014) Chapter 7.	

Week 6 - 21 Dec 2020

Module/Topic	Chapter	Events and Submissions/Topic
Immunity	Ademola Abass, International Law: Text, Cases, and Materials (Oxford University Press, 2nd ed, 2014) Chapter 8	

Vacation Week - 28 Dec 2020

Module/Topic	Chapter	Events and Submissions/Topic
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Week 7 - 04 Jan 2021

Module/Topic	Chapter	Events and Submissions/Topic
The law of use of force	Ademola Abass, International Law: Text, Cases, and Materials (Oxford University Press, 2nd ed, 2014) Chapter 10.	

Week 8 - 11 Jan 2021

Module/Topic	Chapter	Events and Submissions/Topic
International humanitarian law	Ademola Abass, International Law: Text, Cases, and Materials (Oxford University Press, 2nd ed, 2014) Chapter 12.	Case-type Assessment Due: Week 8 Friday (15 Jan 2021) 11:45 pm AEST

Week 9 - 18 Jan 2021

Module/Topic	Chapter	Events and Submissions/Topic
International criminal law	Ademola Abass, International Law: Text, Cases, and Materials (Oxford University Press, 2nd ed, 2014) Chapter 16.	

Week 10 - 25 Jan 2021

Module/Topic	Chapter	Events and Submissions/Topic
International human rights	Ademola Abass, International Law: Text, Cases, and Materials (Oxford University Press, 2nd ed, 2014) Chapter 19.	

Week 11 - 01 Feb 2021

Module/Topic	Chapter	Events and Submissions/Topic
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States' obligation to respect human rights

Olivier De Schutter, International Human Rights Law (Cambridge University Press, 2nd ed, 2014) Chapter 1.

Week 12 - 08 Feb 2021

Module/Topic

Chapter

Events and Submissions/Topic

Revision

Exam Week - 15 Feb 2021

Module/Topic

Chapter

Events and Submissions/Topic

Take Home Paper Due: Exam Week Monday (15 Feb 2021) 11:45 pm AEST

Assessment Tasks

1 Group Discussion

Assessment Type

Group Discussion

Task Description

This assessment task will involve a group submission. The class will be divided into groups for the purpose of the assessment and all members of a group will have the same mark for the submission made.

Assessment Due Date

Week 4 Friday (4 Dec 2020) 11:45 pm AEST

Return Date to Students

Week 6 Monday (21 Dec 2020)

Weighting

10%

Assessment Criteria

This assessment will be assessed according to the following criteria: correct and thorough identification of the legal issue(s) (10%) and rules/legal principles (30%); correct and thorough analysis and application of the rules and legal principles to the legal issue(s) and facts (40%); well thought-out conclusion (10%); and quality of the language usage and observance of proper structure, format, and instructions (10%).

Referencing Style

- [Australian Guide to Legal Citation, 4th ed](#)

Submission

Online Group

Learning Outcomes Assessed

- Discuss and explain key topics of Public International and Human Rights Law, such as: the sources and subjects of international law; statehood and State sovereignty; international trade law; State responsibility; human rights and self-determination; and the law of treaties
- Discuss, explain and apply key principles of Public International and Human Rights Law to real and theoretical contexts
- Critically analyse, research and provide solutions to practical and theoretical questions concerning Public International and Human Rights Law.

Graduate Attributes

- Communication
- Problem Solving
- Critical Thinking
- Information Literacy
- Team Work
- Cross Cultural Competence

- Ethical practice

2 Case-type Assessment

Assessment Type

Presentation and Written Assessment

Task Description

This individual assessment involves answering three case-type questions that will cover any of the topics up to week 5. The questions will be released on 14 December (Friday) at 6 pm and are due one week after on 21 December (Friday) at 6 pm. The total word count for the answers, including footnotes, should not exceed 1,500 words.

Assessment Due Date

Week 8 Friday (15 Jan 2021) 11:45 pm AEST

Return Date to Students

Week 8 Friday (15 Jan 2021)

Weighting

40%

Assessment Criteria

Assessment Criteria

This assessment will be assessed according to the following criteria: correct and thorough identification of the legal issue(s) (10%) and rules/legal principles (30%); correct and thorough analysis and application of the rules and legal principles to the legal issue(s) and facts (40%); well thought-out conclusion (10%); and quality of the language usage and observance of proper structure, format, and instructions (10%).

Referencing Style

- [Australian Guide to Legal Citation, 4th ed](#)

Submission

Online

Learning Outcomes Assessed

- Discuss and explain key topics of Public International and Human Rights Law, such as: the sources and subjects of international law; statehood and State sovereignty; international trade law; State responsibility; human rights and self-determination; and the law of treaties
- Discuss, explain and apply key principles of Public International and Human Rights Law to real and theoretical contexts
- Critically analyse, research and provide solutions to practical and theoretical questions concerning Public International and Human Rights Law.

Graduate Attributes

- Communication
- Problem Solving
- Critical Thinking
- Information Literacy
- Cross Cultural Competence
- Ethical practice

3 Take Home Paper

Assessment Type

Written Assessment

Task Description

This final individual online take home paper involves answering four case-type questions. Students are given a period of 24 hours within which to submit their answers to the questions. The total word count for the answers, including footnotes, should not exceed 2,500 words.

The take home paper questions will be released and made available on Moodle during the exam period. No late submission is permitted. Following university policy, in the absence of an approved extension at the sole discretion of the Deputy Dean (Learning and Teaching), there will be no opportunity to complete the task after this date, nor will there be an opportunity to apply any late penalty.

Assessment Due Date

Exam Week Monday (15 Feb 2021) 11:45 pm AEST

Return Date to Students

In line with university policy, the marked assessment will be returned to students only after the Certification of Grades as stated in the university academic calendar.

Weighting

50%

Assessment Criteria

This assessment will be assessed according to the following criteria: correct and thorough identification of the legal issue(s) (10%) and rules/legal principles (30%); correct and thorough analysis and application of the rules and legal principles to the legal issue(s) and facts (40%); well thought-out conclusion (10%); and quality of the language usage and observance of proper structure, format, and instructions (10%).

Referencing Style

- [Australian Guide to Legal Citation, 4th ed](#)

Submission

Online

Learning Outcomes Assessed

- Discuss and explain key topics of Public International and Human Rights Law, such as: the sources and subjects of international law; statehood and State sovereignty; international trade law; State responsibility; human rights and self-determination; and the law of treaties
- Discuss, explain and apply key principles of Public International and Human Rights Law to real and theoretical contexts
- Critically analyse, research and provide solutions to practical and theoretical questions concerning Public International and Human Rights Law.

Graduate Attributes

- Communication
- Problem Solving
- Critical Thinking
- Information Literacy
- Cross Cultural Competence
- Ethical practice

Academic Integrity Statement

As a CQUniversity student you are expected to act honestly in all aspects of your academic work.

Any assessable work undertaken or submitted for review or assessment must be your own work. Assessable work is any type of work you do to meet the assessment requirements in the unit, including draft work submitted for review and feedback and final work to be assessed.

When you use the ideas, words or data of others in your assessment, you must thoroughly and clearly acknowledge the source of this information by using the correct referencing style for your unit. Using others' work without proper acknowledgement may be considered a form of intellectual dishonesty.

Participating honestly, respectfully, responsibly, and fairly in your university study ensures the CQUniversity qualification you earn will be valued as a true indication of your individual academic achievement and will continue to receive the respect and recognition it deserves.

As a student, you are responsible for reading and following CQUniversity's policies, including the [Student Academic Integrity Policy and Procedure](#). This policy sets out CQUniversity's expectations of you to act with integrity, examples of academic integrity breaches to avoid, the processes used to address alleged breaches of academic integrity, and potential penalties.

What is a breach of academic integrity?

A breach of academic integrity includes but is not limited to plagiarism, self-plagiarism, collusion, cheating, contract cheating, and academic misconduct. The Student Academic Integrity Policy and Procedure defines what these terms mean and gives examples.

Why is academic integrity important?

A breach of academic integrity may result in one or more penalties, including suspension or even expulsion from the University. It can also have negative implications for student visas and future enrolment at CQUniversity or elsewhere. Students who engage in contract cheating also risk being blackmailed by contract cheating services.

Where can I get assistance?

For academic advice and guidance, the [Academic Learning Centre \(ALC\)](#) can support you in becoming confident in completing assessments with integrity and of high standard.

What can you do to act with integrity?



Be Honest

If your assessment task is done by someone else, it would be dishonest of you to claim it as your own



Seek Help

If you are not sure about how to cite or reference in essays, reports etc, then seek help from your lecturer, the library or the Academic Learning Centre (ALC)



Produce Original Work

Originality comes from your ability to read widely, think critically, and apply your gained knowledge to address a question or problem