

LAW412 International Human Rights Law

School: School of Law and Society

2022 | Semester 2

Online

ONLINE

You can do this course without coming onto campus.

Please go to usc.edu.au for up to date information on the teaching sessions and campuses where this course is usually offered.

1. What is this course about?

1.1. Description

International Human Rights Law imposes obligations on States, making them accountable internationally for the treatment of persons at the hands of government institutions and officials and, to some extent, private persons. In this course you will examine the nature, theoretical underpinnings and historical development of human rights law. You will study the supra-national institutions and mechanisms concerned with the protection of universal human rights and the challenges associated with the implementation of the laws in the domestic sphere, in Australia and other countries.

1.2. How will this course be delivered?

ACTIVITY	HOURS	BEGINNING WEEK	FREQUENCY
ONLINE			
Learning materials – Online learning materials and activities covering key topics will be available on Canvas.	1hr	Week 1	13 times
Tutorial/Workshop 1 – Scheduled online Tutorials on Zoom will discuss topics covered in the Learning Materials further. Weeks 2-6, 8-13.	2hrs	Week 2	11 times
Seminar – Synchronous seminar workshop on Zoom, which will also be recorded.	2hrs	Refer to Format	2 times

1.3. Course Topics

History and Context of International Human Rights Law

The Subject of Human Rights Law

Sources and Character of International Human Rights Obligations

Categories of International Human Rights

International Refugee Law

Protection Institutions – International, Regional and National

Enforcement, Exceptions and Limitations

Critique of International Human Rights Law

Gaps in International Human Rights Law

2. What level is this course?

400 Level (Graduate)

Demonstrating coherence and breadth or depth of knowledge and skills. Independent application of knowledge and skills in unfamiliar contexts. Meeting professional requirements and AQF descriptors for the degree. May require pre-requisites where discipline specific introductory or developing knowledge or skills is necessary. Normally undertaken in the third or fourth full-time study year of an undergraduate program.

3. What is the unit value of this course?

12 units

4. How does this course contribute to my learning?

COURSE LEARNING OUTCOMES	GRADUATE QUALITIES
On successful completion of this course, you should be able to...	Completing these tasks successfully will contribute to you becoming...
1 Synthesise, interpret and apply relevant principles and approaches and broader interdisciplinary perspectives.	Knowledgeable Creative and critical thinker
2 Apply knowledge, critical thinking, analysis and judgment to generate appropriate and practical responses to complex issues and problems.	Creative and critical thinker Sustainability-focussed
3 Communicate effectively.	Empowered Engaged

5. Am I eligible to enrol in this course?

Refer to the [UniSC Glossary of terms](#) for definitions of “pre-requisites, co-requisites and anti-requisites”.

5.1. Pre-requisites

(LAW104 and LAW204 and enrolled in any Law Program) or (JST202 and enrolled in Program AR323)

5.2. Co-requisites

Not applicable

5.3. Anti-requisites

Not applicable

5.4. Specific assumed prior knowledge and skills (where applicable)

Not applicable

6. How am I going to be assessed?

6.1. Grading Scale

Standard Grading (GRD)

High Distinction (HD), Distinction (DN), Credit (CR), Pass (PS), Fail (FL).

6.2. Details of early feedback on progress

By week 4 of this course you will have received feedback on your understanding of key concepts and principles covered in weeks 1 – 3 through Task 1 feedback and in class discussions. You are encouraged to use the consultation time with the course coordinator to discuss your understanding of the course.

6.3. Assessment tasks

DELIVERY MODE	TASK NO.	ASSESSMENT PRODUCT	INDIVIDUAL OR GROUP	WEIGHTING %	WHAT IS THE DURATION / LENGTH?	WHEN SHOULD I SUBMIT?	WHERE SHOULD I SUBMIT IT?
All	1	Plan	Individual	10%	500 words	Week 3	Online Assignment Submission with plagiarism check
All	2	Written Piece	Individual	40%	1500 words	Week 7	Online Assignment Submission with plagiarism check
All	3	Essay	Individual	50%	2000 words	Week 13	Online Assignment Submission with plagiarism check

All - Assessment Task 1: Research Plan

GOAL:	The goal of this task is to briefly outline how you plan to successfully undertake Task 2. This is an opportunity to explain the research, analysis and problem-solving approach that you have attempted thus far and elaborate what remaining steps are required to successfully complete your Memorandum. This will allow you to receive early formative feedback on your progress in this course.					
PRODUCT:	Plan					
FORMAT:	Written report consisting of no more than 500 words (excluding footnotes and bibliography), using AGLC4 referencing.					
CRITERIA:	No.					Learning Outcome assessed
	1	Identification of relevant legal and policy literature				1 3
	2	Quality of topic analysis				1 2
	3	Suitability of proposed research methods				1
	4	Quality of written communication and presentation				3

All - Assessment Task 2: Memorandum of advice

GOAL:	The goal of this task is to formulate a memorandum of advice in relation to an authentic human rights situation. You will be required to critically engage with substantive IHRL principles, apply them to the facts, and reach sound conclusions about the legal rights, obligations and remedies that arise in the given scenario.					
PRODUCT:	Written Piece					
FORMAT:	Written report consisting of no more than 1500 words (excluding footnotes and bibliography), using AGLC4 referencing.					
CRITERIA:	No.					Learning Outcome assessed
	1	Quality of research				2
	2	Demonstrated knowledge of relevant principles of IHRL				1 2
	3	Ability to apply the law in order to reach informed and sound conclusions				2
	4	Capacity to address matters of uncertainty and public policy				1 2
	5	Quality of written communication and presentation				3

All - Assessment Task 3: Research essay

GOAL:	The goal of this task is for you to research an assigned IHRL topic, analyse and critically evaluate all relevant legal, factual and policy matters, and use your judgment to effectively communicate an appropriate conclusion.	
PRODUCT:	Essay	
FORMAT:	Essay consisting of no more than 2000 words (excluding footnotes and bibliography), using AGLC4 referencing.	
CRITERIA:	No.	Learning Outcome assessed
	1 Depth of knowledge and understanding	2
	2 Strength of analysis and argumentation	1 2
	3 Capacity to address matters of uncertainty and public policy	2
	4 Quality of written communication and presentation	3

7. Directed study hours

A 12-unit course will have total of 150 learning hours which will include directed study hours (including online if required), self-directed learning and completion of assessable tasks. Student workload is calculated at 12.5 learning hours per one unit.

8. What resources do I need to undertake this course?

Please note: Course information, including specific information of recommended readings, learning activities, resources, weekly readings, etc. are available on the course Canvas site– Please log in as soon as possible.

8.1. Prescribed text(s) or course reader

Please note that you need to have regular access to the resource(s) listed below. Resources may be required or recommended.

REQUIRED?	AUTHOR	YEAR	TITLE	EDITION	PUBLISHER
Required	Daniel Moeckli, Sangeeta Shah, Sandesh Sivakumaran (eds)	2018	International Human Rights Law	3rd Edition	Oxford University Press

8.2. Specific requirements

Not applicable

9. How are risks managed in this course?

Health and safety risks for this course have been assessed as low. It is your responsibility to review course material, search online, discuss with lecturers and peers and understand the health and safety risks associated with your specific course of study and to familiarise yourself with the University's general health and safety principles by reviewing the [online induction training for students](#), and following the instructions of the University staff.

10. What administrative information is relevant to this course?

10.1. Assessment: Academic Integrity

Academic integrity is the ethical standard of university participation. It ensures that students graduate as a result of proving they are competent in their discipline. This is integral in maintaining the value of academic qualifications. Each industry has expectations and standards of the skills and knowledge within that discipline and these are reflected in assessment.

Academic integrity means that you do not engage in any activity that is considered to be academic fraud; including plagiarism, collusion or outsourcing any part of any assessment item to any other person. You are expected to be honest and ethical by completing all work yourself and indicating in your work which ideas and information were developed by you and which were taken from others. You cannot provide your assessment work to others. You are also expected to provide evidence of wide and critical reading, usually by using appropriate academic references.

In order to minimise incidents of academic fraud, this course may require that some of its assessment tasks, when submitted to Canvas, are electronically checked through Turnitin. This software allows for text comparisons to be made between your submitted assessment item and all other work to which Turnitin has access.

10.2. Assessment: Additional Requirements

Eligibility for Supplementary Assessment

Your eligibility for supplementary assessment in a course is dependent of the following conditions applying:

The final mark is in the percentage range 47% to 49.4%

The course is graded using the Standard Grading scale

You have not failed an assessment task in the course due to academic misconduct

10.3. Assessment: Submission penalties

Late submission of assessment tasks may be penalised at the following maximum rate:

- 5% (of the assessment task's identified value) per day for the first two days from the date identified as the due date for the assessment task.

- 10% (of the assessment task's identified value) for the third day

- 20% (of the assessment task's identified value) for the fourth day and subsequent days up to and including seven days from the date identified as the due date for the assessment task.

- A result of zero is awarded for an assessment task submitted after seven days from the date identified as the due date for the assessment task. Weekdays and weekends are included in the calculation of days late. To request an extension you must contact your course coordinator to negotiate an outcome.

10.4. SafeUniSC

UniSC is committed to a culture of respect and providing a safe and supportive environment for all members of our community. For immediate assistance on campus contact SafeUniSC by phone: [07 5430 1168](tel:0754301168) or using the [SafeZone](#) app. For general enquires contact the SafeUniSC team by phone [07 5456 3864](tel:0754563864) or email safe@usc.edu.au.

The SafeUniSC Specialist Service is a Student Wellbeing service that provides free and confidential support to students who may have experienced or observed behaviour that could cause fear, offence or trauma. To contact the service call [07 5430 1226](tel:0754301226) or email studentwellbeing@usc.edu.au.

10.5. Study help

For help with course-specific advice, for example what information to include in your assessment, you should first contact your tutor, then your course coordinator, if needed.

If you require additional assistance, the Learning Advisers are trained professionals who are ready to help you develop a wide range of academic skills. Visit the [Learning Advisers](#) web page for more information, or contact Student Central for further assistance: +61 7 5430 2890 or studentcentral@usc.edu.au.

10.6. Wellbeing Services

Student Wellbeing provide free and confidential counselling on a wide range of personal, academic, social and psychological matters, to foster positive mental health and wellbeing for your academic success.

To book a confidential appointment go to [Student Hub](#), email studentwellbeing@usc.edu.au or call 07 5430 1226.

10.7. AccessAbility Services

Ability Advisers ensure equal access to all aspects of university life. If your studies are affected by a disability, learning disorder mental health issue, injury or illness, or you are a primary carer for someone with a disability or who is considered frail and aged, [AccessAbility Services](#) can provide access to appropriate reasonable adjustments and practical advice about the support and facilities available to you throughout the University.

To book a confidential appointment go to [Student Hub](#), email AccessAbility@usc.edu.au or call 07 5430 2890.

10.8. Links to relevant University policy and procedures

For more information on Academic Learning & Teaching categories including:

- Assessment: Courses and Coursework Programs
- Review of Assessment and Final Grades
- Supplementary Assessment
- Central Examinations
- Deferred Examinations
- Student Conduct
- Students with a Disability

For more information, visit <https://www.usc.edu.au/explore/policies-and-procedures#academic-learning-and-teaching>

10.9. Student Charter

UniSC is committed to excellence in teaching, research and engagement in an environment that is inclusive, inspiring, safe and respectful. The [Student Charter](#) sets out what students can expect from the University, and what in turn is expected of students, to achieve these outcomes.

10.10.General Enquiries

In person:

- **UniSC Sunshine Coast** - Student Central, Ground Floor, Building C, 90 Sippy Downs Drive, Sippy Downs
- **UniSC Moreton Bay** - Service Centre, Ground Floor, Foundation Building, Gympie Road, Petrie
- **UniSC SouthBank** - Student Central, Building A4 (SW1), 52 Merivale Street, South Brisbane
- **UniSC Gympie** - Student Central, 71 Cartwright Road, Gympie
- **UniSC Fraser Coast** - Student Central, Student Central, Building A, 161 Old Maryborough Rd, Hervey Bay
- **UniSC Caboolture** - Student Central, Level 1 Building J, Cnr Manley and Tallon Street, Caboolture

Tel: +61 7 5430 2890

Email: studentcentral@usc.edu.au