



## UNSW Course Outline

# JURD7487 International Law and the Use of Force - 2024

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## General Course Information

Course Code : JURD7487

Year : 2024

Term : Term 2

Teaching Period : T2

Is a multi-term course? : No

Faculty : Faculty of Law and Justice

Academic Unit : School of Global and Public Law

Delivery Mode : In Person

Delivery Format : Standard

Delivery Location : Kensington

Campus : Sydney

Study Level : Postgraduate

Units of Credit : 6

### Useful Links

[Handbook Class Timetable](#)

## Course Details & Outcomes

### Course Description

The control of the use of force in the international arena has proved to be one of the most intractable problems in international law. This course will examine the international law on the use of force, the jus ad bellum. It will introduce students to the laws relating to the prohibition of

the use of force and discuss their exceptions, both agreed and controversial.

## Main Topics

- Limitations on the Unilateral Use of Force by States
- Chapter VII and the System for Collective Measures
- UN peacekeeping
- Regional security

## Course Learning Outcomes

Course Learning Outcomes
CLO1 : Engage in complex critical discussions of law of the use of force, the jus ad/contra bellum, and the law and practice relating to United Nations enforcement and peacekeeping action (PLOs 1, 5, 6, 9 & 10)
CLO2 : Engage in self-led investigation and critical analysis of the use of force in international law utilising professional and legal texts to evaluate current debates through an extended research essay and research essay plan (PLOs 1, 5, 6, 9 & 12)
CLO3 : Develop an advanced awareness of post cold war era United Nations and regional security and demonstrate an ability to critically analyse, using research principles and methodologies, the legality of force and the doctrine of peremptive force (PLOs 1, 5, 6, 9 & 12)

Course Learning Outcomes	Assessment Item
CLO1 : Engage in complex critical discussions of law of the use of force, the jus ad/contra bellum, and the law and practice relating to United Nations enforcement and peacekeeping action (PLOs 1, 5, 6, 9 & 10)	• Class Participation
CLO2 : Engage in self-led investigation and critical analysis of the use of force in international law utilising professional and legal texts to evaluate current debates through an extended research essay and research essay plan (PLOs 1, 5, 6, 9 & 12)	• Research Essay Plan • Research Essay
CLO3 : Develop an advanced awareness of post cold war era United Nations and regional security and demonstrate an ability to critically analyse, using research principles and methodologies, the legality of force and the doctrine of peremptive force (PLOs 1, 5, 6, 9 & 12)	• Class Participation • Research Essay Plan • Research Essay

## Learning and Teaching Technologies

Moodle - Learning Management System

# Learning and Teaching in this course

The course will comprise 6 classroom sessions at 4 hours each.

## Assessments

### Assessment Structure

Assessment Item	Weight	Relevant Dates
Class Participation Assessment Format: Individual	20%	
Research Essay Plan Assessment Format: Individual	15%	
Research Essay Assessment Format: Individual	65%	

## Assessment Details

### Class Participation

#### Assessment Overview

This assessment requires you to prepare for and actively engage in class-based and online activities.

#### Course Learning Outcomes

- CLO1 : Engage in complex critical discussions of law of the use of force, the jus ad/contra bellum, and the law and practice relating to United Nations enforcement and peacekeeping action (PLOs 1, 5, 6, 9 & 10)
- CLO3 : Develop an advanced awareness of post cold war era United Nations and regional security and demonstrate an ability to critically analyse, using research principles and methodologies, the legality of force and the doctrine of per-emptive force (PLOs 1, 5, 6, 9 & 12)

### Research Essay Plan

#### Assessment Overview

This assessment requires you to write a plan for a research essay.

#### Course Learning Outcomes

- CLO2 : Engage in self-led investigation and critical analysis of the use of force in international law utilising professional and legal texts to evaluate current debates through an extended research essay and research essay plan (PLOs 1, 5, 6, 9 & 12)
- CLO3 : Develop an advanced awareness of post cold war era United Nations and regional security and demonstrate an ability to critically analyse, using research principles and methodologies, the legality of force and the doctrine of per-emptive force (PLOs 1, 5, 6, 9 & 12)

# Research Essay

## Assessment Overview

This assessment requires you to write a research essay.

## Course Learning Outcomes

- CLO2 : Engage in self-led investigation and critical analysis of the use of force in international law utilising professional and legal texts to evaluate current debates through an extended research essay and research essay plan (PLOs 1, 5, 6, 9 & 12)
- CLO3 : Develop an advanced awareness of post cold war era United Nations and regional security and demonstrate an ability to critically analyse, using research principles and methodologies, the legality of force and the doctrine of peremptive force (PLOs 1, 5, 6, 9 & 12)

## General Assessment Information

### Understanding and explanation of the legal issues presented

Have you successfully identified the key issues in the question?

Have you stated what the key legal principles or considerations were for each issue?

Have you discussed an issue in a way that makes it evident that you know what you are talking about?

Have you referred to the most important cases or relevant legal instruments for key principles?

Have you addressed the issues in a logical order?

Given the word limit, have you explained issues concisely?

### Critical evaluation of the relevant issues

Have you identified the strengths and weaknesses of the different arguments presented?

Have you addressed the counter-arguments to the arguments presented?

What is the level of reflection engaged in?

Have the issues really been thought through (ie have you addressed why something is the way it is)?

Have you provided the critique throughout the discussion (a more sophisticated approach), or

just tacked on a paragraph of “I think” at the end?

### Depth of research

Research should extend beyond the prescribed course materials (the prescribed books and journals provide a starting point for further research)

Random searches of the internet are usually obvious and will not be favourably regarded. If you are citing sources from the internet, do those sources have academic merit?

Have you consulted monographs and academic journals?

Have you read the cases (as opposed to someone else’s interpretation of a case)?

### Clarity of expression

Is it possible to understand what you are explaining or arguing?

Is the grammar correct? The spelling? The punctuation?

Are the sentence structures correct? Do you have complete sentences?

Have you used paragraph breaks appropriately?

### Presentation of argument

Is the argument well-structured?

Have headings been used appropriately?

Does the argument proceed logically from one point to the next?

Have you been appropriately concise?

Have you adhered to the word limit?

Have you identified potential problems and proposed possible solutions?

Are there solutions based on common sense or practicalities rather than just a legal outcome?

### Correct and consistent reference style

Have you provided authority when you are presenting the views of others? Avoid phrases such as “Many authors think...” “Commentators have argued...” “It has been argued...” without identifying in footnotes who they are.

Have you provided authority for key legal principles?

Have you provided citations for cases as well as treaties?

Have you correctly used the AGLC (or selected citation style)?

#### Grading Basis

Standard

## Course Schedule

### Attendance Requirements

Please see information about attendance requirements in **Law & Justice Assessment Procedure and Student Information** located in the Other Useful Information tab in the Academic Information field.

Please be advised there will be no classes on public holidays. If your class falls on a public holiday, alternative arrangements will be made by the course convenor to make up the missed class.

## Course Resources

### Prescribed Resources

All readings will be available in the course moodle page and via Leganto.

### Recommended Resources

UN Charter.

All readings will be available in the course moodle page and via Leganto.

### Course Evaluation and Development

Student feedback is collected informally as well as formally through myExperience. All comments and suggestions are considered and may be acted upon in the context of course revision occurring on an annual basis.

# Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
	Christopher Michaelson					No	Yes

## Other Useful Information

### Academic Information

Upon your enrolment at UNSW, you share responsibility with us for maintaining a safe, harmonious and tolerant University environment.

You are required to:

- Comply with the University's conditions of enrolment.
- Act responsibly, ethically, safely and with integrity.
- Observe standards of equity and respect in dealing with every member of the UNSW community.
- Engage in lawful behaviour.
- Use and care for University resources in a responsible and appropriate manner.
- Maintain the University's reputation and good standing.

For more information, visit the [UNSW Student Code of Conduct Website](#).

### UNSW Law & Justice Assessment Policy

It is essential that all students undertaking this course read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#). This document includes information on Class Attendance, Late Work, Word Limits, Marking, Special Consideration, Workload, and Academic Misconduct & Plagiarism. More information can also be found at [Assessment & Exam Information](#).

Information regarding Course Outlines are subject to change and students are advised to check updates. If there is a discrepancy between the information posted here and the handbook or the UNSW Law & Justice website, please contact [Student Services via The Nucleus Hub](#) for advice. UNSW Law & Justice reserves the right to discontinue or vary such courses or staff allocations at any time. If your course is not here, please visit [Handbook](#) for information.

## Academic Honesty and Plagiarism

As a student at UNSW you are expected to display [academic integrity](#) in your work and interactions. Where a student breaches the [UNSW Student Code](#) with respect to academic integrity, the University may take disciplinary action under the Student Misconduct Procedure. To assure academic integrity, you may be required to demonstrate reasoning, research and the process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Student Code, it is strongly recommended that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

### Submission of Assessment Tasks

Before submitting assessment items all students must read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#).

### Special consideration

Special consideration is primarily intended to provide you with an extra opportunity to demonstrate the level of performance of which you are capable. To apply, and for further information, see Special Consideration on the UNSW [Current Students](#) page.

### Feedback

UNSW Law & Justice appreciates the need for students to have feedback on their progress prior to the last date for withdrawal without failure. All courses will therefore provide feedback to students prior to this date, as well as throughout the course. However, students should note that feedback does not take the form only of formal grades and written comments on written assessments. Rather, formative feedback, which helps students to self-assess, to identify misunderstandings, and to identify areas requiring further work, will occur during class and possibly online. For example, where a teacher asks the class a question, all students should think about how they might answer. Even though not all students will necessarily be able to respond orally, everyone can reflect on their tentative answer in light of the teacher's response and subsequent class discussion. If you are struggling to understand what is being asked in class, or if your tentative answers prove incorrect and subsequent discussion does not clear things up,



then you should continue to ask questions (of yourself, your peers or your teacher). Similarly, you can get a sense of your ability in a course through peer feedback during group work, your teacher's responses to your in-class contributions, and your own response to in-class problems and examples (whether or not you are called on to relay your answer to the class) and also your online activities and responses by others to those activities. Students enrolled in this course may check their Moodle course page for details on the specific feedback used in this course.

## Faculty-specific Information

### Additional support for students

- Student support: <https://www.student.unsw.edu.au/support>
- Academic Skills and Support: <https://student.unsw.edu.au/academic-skills>
- Student Wellbeing, Health and Safety: <https://student.unsw.edu.au/wellbeing>
- Equitable Learning Services: <https://student.unsw.edu.au/els>
- UNSW IT Service Centre: <https://www.myit.unsw.edu.au>

### Course improvement

Student feedback is very important to continual course improvement. This is demonstrated within the Faculty of Law & Justice by the implementation of the UNSW online student survey myExperience, which allows students to evaluate their learning experiences in an anonymous way. myExperience survey reports are produced from each survey. They are released to staff after all student assessment results are finalised and released to students. Course convenors will use the feedback to make ongoing improvements to the course. Students enrolled in this course may check their Moodle course page for details on the actions taken in response to evaluation feedback in Student Survey.

## School Contact Information

Please contact [Nucleus Student Hub](#) for all enquiries. The Nucleus acts as a central communications hub for UNSW and will distribute your enquiry to the best person to respond.