UNSW Course Outline

JURD7582 International Human Rights Law and Advocacy - 2024

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General Course Information

Course Code : JURD7582
Year : 2024
Term : Term 1
Teaching Period : T1
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

<u>Useful Links</u>

<u>Handbook</u> <u>Class Timetable</u>

Course Details & Outcomes

Course Description

This course involves an examination of the fundamental legal standards and institutions of
international human rights law through the medium of contemporary human rights concerns. It
will familiarize you with the basic principles of international human rights law and the

mechanisms for its enforcement, and also provide an exploration off the role of international human rights norms in domestic legal systems (with a focus on Australia).

This course is part of a general offering of human rights and social justice topics within the UNSW Law School and aims to provide students with an introductory engagement with the substance, institutions and techniques of international human rights law.

The specific topics covered vary from year to year and may include:

- narratives of the history of human rights;
- universalism and cultural relativism;
- the United Nations human rights system;
- regional and subregional systems for the protection of human rights;
- techniques of interpretation of human rights;
- the nature of State obligation;
- death penalty;
- freedom of expression;
- economic, social and cultural rights;
- gender and human rights;
- disability and human rights;
- the rights of indigenous peoples under international law; human rights and terrorism:
- clash between rights and security;
- domestic implementation of international human rights in Australia;
- refugees: international standards and protections;
- international law of equality and non-discrimination.

Main Topics

- What are human rights?
- Framework of the international human rights system
- Major international human rights instruments and monitoring and implementation mechanisms
- The UN human rights treaty bodies, generally and with specific reference to Australia
- The nature of State obligations under international human rights law
- Interpreting rights: techniques and sources
- The death penalty and human rights law
- Freedom of expression
- Economic, social and cultural rights
- Human rights violations by private actors
- Domestic implementation of human rights in Australia (including the work of the Parliamentary Joint Committee on Human Rights).

Course Learning Outcomes

Course Learning Outcomes
CLO1 : Have a sound understanding of the development, scope, principles, and methods of interpretation of internationalhuman rights law (PLOs 1, 4)
CLO2 : Understand the process by which the body of international human rights law and international procedures for itsimplementation continue to develop (PLO 1)
CLO3 : Be familiar with and critical of the role that governments, international institutions, and civil society actors play in thedevelopment, implementation and enforcement of international human rights law (PLOs 1, 3, 7, 8)
CLO4 : Be able to examine critically current developments in relation to international human rights, and the policy challengesinvolved (PLOs 1, 5, 7)
CLO5 : Identify key areas of international human rights law and procedures which are currently the subject of reform efforts(PLO 5)
CLO6 : Be aware of critical perspectives on the conceptual challenges to international human rights, their politicaldimensions, and the power and limitations of the human rights discourse (PLOs 3, 7, 8)
CLO7 : Be familiar with basic research techniques and major sources for carrying out research in relation to internationalhuman rights law issues (PLO 6)
CLO8 : Communicate effectively, in speaking and in writing, on basic international human rights law issues (PLO 9)

Course Learning Outcomes	Assessment Item
CLO1 : Have a sound understanding of the development, scope, principles, and methods of interpretation of internationalhuman rights law (PLOs 1, 4)	• Short Response • Class Participation • Essay
CLO2 : Understand the process by which the body of international human rights law and international procedures for itsimplementation continue to develop (PLO 1)	• Short Response • Class Participation • Essay
CLO3 : Be familiar with and critical of the role that governments, international institutions, and civil society actors play in thedevelopment, implementation and enforcement of international human rights law (PLOs 1, 3, 7, 8)	• Class Participation • Essay
CLO4 : Be able to examine critically current developments in relation to international human rights, and the policy challengesinvolved (PLOs 1, 5, 7)	• Short Response • Class Participation • Essay
CLO5 : Identify key areas of international human rights law and procedures which are currently the subject of reform efforts(PLO 5)	• Short Response • Essay
CLO6 : Be aware of critical perspectives on the conceptual challenges to international human rights, their politicaldimensions, and the power and limitations of the human rights discourse (PLOs 3, 7, 8)	• Class Participation • Essay
CLO7 : Be familiar with basic research techniques and major sources for carrying out research in relation to internationalhuman rights law issues (PLO 6)	• Short Response • Essay
CLO8 : Communicate effectively, in speaking and in writing, on basic international human rights law issues (PLO 9)	• Class Participation • Essay

Learning and Teaching Technologies

Moodle - Learning Management System

Assessments

Assessment Structure

Assessment Item	Weight	Relevant Dates
Short Response Assessment Format: Individual	30%	Start Date: 26/02/2024 12:00 AM Due Date: 11/03/2024 12:00 AM
Class Participation Assessment Format: Individual	20%	Start Date: Not Applicable Due Date: Not Applicable
Essay Assessment Format: Individual	50%	Start Date: 14/03/2024 12:00 AM Due Date: 01/04/2024 12:00 AM

Assessment Details
Short Response

Assessment Overview

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

Course Learning Outcomes
- CLO1 : Have a sound understanding of the development, scope, principles, and methods of interpretation of internationalhuman rights law (PLOs 1, 4)
- CLO2 : Understand the process by which the body of international human rights law and international procedures for itsimplementation continue to develop (PLO 1)
- CLO4 : Be able to examine critically current developments in relation to international human rights, and the policy challengesinvolved (PLOs 1, 5, 7)
- CLO5 : Identify key areas of international human rights law and procedures which are currently the subject of reform efforts(PLO 5)
- CLO7 : Be familiar with basic research techniques and major sources for carrying out research in relation to internationalhuman rights law issues (PLO 6)

Detailed Assessment Description

Students will receive written feedback and a numerical grade within two weeks of submission.

Assessment Length

1,000 words

Submission notes

Please see moodle for relevant guidelines and instructions.

Assignment submission Turnitin type

This assignment is submitted through Turnitin and students do not see Turnitin similarity reports.

Class Participation

Assessment Overview

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

Course Learning Outcomes
- CLO1 : Have a sound understanding of the development, scope, principles, and methods of interpretation of internationalhuman rights law (PLOs 1, 4)
- CLO2 : Understand the process by which the body of international human rights law and international procedures for itsimplementation continue to develop (PLO 1)
- CLO3 : Be familiar with and critical of the role that governments, international institutions, and

civil society actors play in thedevelopment, implementation and enforcement of international human rights law (PLOs 1, 3, 7, 8)
- CLO4 : Be able to examine critically current developments in relation to international human rights, and the policy challengesinvolved (PLOs 1, 5, 7)
- CLO6 : Be aware of critical perspectives on the conceptual challenges to international human rights, their politicaldimensions, and the power and limitations of the human rights discourse (PLOs 3, 7, 8)
- CLO8 : Communicate effectively, in speaking and in writing, on basic international human rights law issues (PLO 9)

Assessment information

Class attendance is mandatory. However, there is an 80% rule, meaning students will get 20% leeway. Anything beyond 20% must require approval and usually a submission to the UNSW.

Assignment submission Turnitin type

Not Applicable

Essay

Assessment Overview

Feedback may include formative feedback, peer feedback in class, online and the use of rubric.

Course Learning Outcomes
- CLO1 : Have a sound understanding of the development, scope, principles, and methods of interpretation of internationalhuman rights law (PLOs 1, 4)
- CLO2 : Understand the process by which the body of international human rights law and international procedures for itsimplementation continue to develop (PLO 1)
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- CLO7 : Be familiar with basic research techniques and major sources for carrying out research in relation to internationalhuman rights law issues (PLO 6)
- CLO8 : Communicate effectively, in speaking and in writing, on basic international human rights law issues (PLO 9)

Detailed Assessment Description

Students will receive written feedback and a numerical grade within two weeks of submission.

Assessment Length

4,000 words

Submission notes

Please see moodle for relevant guidelines and instructions.

Assignment submission Turnitin type

This assignment is submitted through Turnitin and students do not see Turnitin similarity reports.

General Assessment Information

Please see Moodle for additional information and instruction on each of the course assessments.

Grading Basis

Standard

Requirements to pass course

To pass this course, you must submit both assessment items.

Course Schedule

Teaching Week/Module	Activity Type	Content
Week 1 : 12 February - 18 February	Lecture	Lecture 1: History and Concept of Human Rights Lecture 2: Major International Human Rights Instruments
Week 2 : 19 February - 25 February	Lecture	Lecture 1: Human Rights Obligations of States Lecture 2: Human Rights Enforcement: Charter-Based Mechanisms
Week 3 : 26 February - 3 March	Assessment	Lecture 1: Human Rights Enforcement: Treaty Body Mechanisms Lecture 2: Human Rights Enforcement: Regional Arrangements & the Politics of Enforcement Short Response Essay
Week 4 : 4 March - 10 March	Lecture	Lecture 1: Accountability for Human Rights Atrocities and the Responsibility to Protect Lecture 2: Business and Human Rights
Week 5 : 11 March - 17 March	Lecture	Lecture 1: Human Rights, right to a healthy environment and climate justice Lecture 2: Human Rights and Counter-terrorism
Week 6 : 18 March - 24 March	Assessment	Flexibility Week+ Preparation for the Final Essay
Week 7 : 25 March - 31 March	Lecture	Lecture 1: Bringing rights home: Domestic Institutionalization of international human rights law in Australia Lecture 2: Populist challenge to human rights and the strategies for human rights advocacy

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.

General Schedule Information

Week 1 (A): Feb 12th (9-12pm)

History and Concept of Human Rights

Week 1 (B): Feb 15th (9-12pm)

Major International Human Rights Instruments

Week 2 (A): Feb 19th (9-12pm)

Human Rights Obligations of States

Week 2 (B): Feb 22nd (9-12pm)

Human Rights Enforcement: Charter-Based Mechanisms

Week 3 (A): Feb 26th (9-12pm)

Human Rights Enforcement: Treaty Body Mechanisms

Week 3 (B): Feb 29th (9-12pm)

Human Rights Enforcement: Regional Arrangements & the Politics of Enforcement

Week 4 (A): March 4th (9-12pm)

Accountability for Human Rights Atrocities and the Responsibility to Protect

Week 4 (B): March 7th (9-12pm)

Business and Human Rights

Week 5 (A): March 11th (9-12pm)

Human Rights, right to a healthy environment and climate justice

Week 5 (B): March 14th (9-12pm)

Human Rights and Counter-terrorism

Week 6

Flexibility Week

Week 7 (A) March 25th (9-12 pm)

Bringing rights home: Domestic Institutionalization of international human rights law in Australia

Week 7 (B) March 28th (9-12 pm)

Populist challenge to human rights and the strategies for human rights advocacy

Course Resources

Prescribed Resources

There is a textbook for this course that you can purchase from the UNSW bookshop. The textbook (hard copy and e-copy) is available via Leganto (the primary site for UNSW Course Readings - search by Course Code) on the UNSW Library website. See the name of the book below:

A McBeth, J Nolan & S Rice, *The International Law of Human Rights* (OUP, 2017).

Recommended Resources

Prescribed and recommended readings are set out on Moodle via the Leganto link.

Course Evaluation and Development

Formal student feedback will be collected through the MyExperience student survey at the end of the term. This is a significant opportunity to let us know how the course has gone, and we take your feedback seriously. We welcome your feedback throughout the term. If there's something that you feel could be done better, or aspects of the course that you really enjoy, we always appreciate you letting us know - you can talk to the lecturer, email or call the Course Convenor or chat before/after class.

Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
Convenor	Justine Nolan					No	No
Lecturer	Md. Abdur Razzak					Yes	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 Plagarism

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.