

## Module 13: International Children's Rights Law

<b>Stage</b>	1						
<b>Semester</b>	2						
<b>Module Title</b>	International Children's Rights Law						
<b>Module Number/Reference</b>	LLM-ICRL						
<b>Module Status (Mandatory/Elective)</b>	Elective for International Human Rights Law LL.M. and International Law LL.M.						
<b>Module ECTS credit</b>	10						
<b>Module NFQ level (only if applicable)</b>	9						
<b>Pre-requisite Module Titles</b>	Public International Law, Advanced Legal Research and Writing						
<b>Co-requisite Module Titles</b>	N/A						
<b>Is this a capstone module? (Yes or No)</b>	No						
<b>List of Module Teaching Personnel</b>	Fiona Broughton						
Contact Hours				Non-contact Hours			Total Effort (Hours)
Lecture	Practical	Tutorial	Seminar	Assignment	Placement	Independent work	
30						170	200
<b>Allocation of Marks (Within the Module)</b>							
	Continuous Assessment	Project	Practical	Final Exam	Total is always 100%		
Percentage contribution	50			50	100		

### Intended Module Learning Outcomes

On successful completion of this module, the learner will be able to:

1. Apply advanced theoretical knowledge and in-depth critical thinking to a variety of children's rights theories
2. Critically analyse and assess in-depth the historical evolution of children's rights at an international level
3. Critically analyse and explain the role and impact of the United Nations Convention on the Rights of the Child, 1989.
4. Demonstrate a critical awareness of the definition and status of the child in international law
5. Synthesise and conceptualise a holistic picture of the extent to which the child's rights to protection, provision and participation are provided for in international law
6. Research, interpret and apply the principles of international law treaties to reach sound informed judgments relating to children's rights

7. Develop advanced reasoned arguments relating to factual legal problems in light of the principles of international children's rights.

### **Module Objectives**

The module first explores various international children's rights theories with a focus on the children's rights/parental and family rights divide and debate. The evolution of international children's rights as a concept is discussed and the role and impact of the United Nations Convention on the Rights of the Child, 1989, is analysed. The module aims to provide an awareness and understanding amongst learners of the definition and status of the child at an international law level and it offers learners the opportunity to develop an understanding and awareness of the scope of a variety of children's rights at an international level including the right to survival and development, protection rights, the right to health-care and education and the right to participation, either directly or through a representative.

### **Module Aims (to provide learners with)**

- a detailed knowledge of the various theories on international children's rights
- a critical and detailed understanding of the development of international children's rights
- a thorough comprehension of a broad variety of sources and categories of children's rights, including protection, provision and participation rights
- a detailed understanding of the practical operation of international children's rights.

### **Module Curriculum**

- Topic 1: Introduction to international children's rights and children's rights theory
- Topic 2: History of international law on the rights of the child
- Topic 3: The role of the United Nations Convention on the Rights of the Child
- Topic 4: Definition and status of the child in international law
- Topic 5: The rights of the child to survival and development
- Topic 6: The rights of the child to protection from harm
- Topic 7: The rights of the child to provision of health care and education
- Topic 8: The right of the child to participation

### **Reading lists and other learning materials**

Dillon, S., *International Children's Rights* (Carolina Academic Press, 2010)

Fortin, J., *Children's Rights and the Developing Law*, 3<sup>rd</sup> ed. (Cambridge University Press, 2009)

Parkes, A., *Children and International Human Rights Law: The Right of the Child to be Heard* (Routledge, 2013)

Van Bueren, G., *The International Law on the Rights of the Child* (Martinus Nijhoff, 1998)

- Cipriani, D., *Children's Rights and the Minimum Age of Criminal Responsibility: A Global Perspective* (Ashgate, 2013)
- Freeman, M., (ed.) *Children's Rights: Progress and Perspectives: essays from the International Journal of Children's Rights* (Martinus Nijhoff, 2011)
- Freeman, M., 'Why it Remains Important to take Children's Rights Seriously' *International Journal of Children's Rights* 15 (2007) 5 – 23
- Guggenheim,M., *What's Wrong with Children's Rights?* (Harvard University Press, 2005)
- Kilkelly, U., 'The CRC at 21: Assessing the Legal Impact' *Northern Ireland Legal Quarterly* 62(2) 143 – 152

### **Module Learning Environment**

A learning environment that promotes collaborative learning is promoted and learners are encouraged to actively engage in all class discussions and exercises.

### **Module Teaching and Learning Strategy**

The module is delivered by means of structured and participative style lectures. The learners are assigned reading the week previous to each class, and some learners are chosen to lead the discussion of the material. Participation by all learners is vital in order to realise maximum benefit from the module. The lectures are supplemented by structured on-line resources and reading.

In order to support learners through the research process they engage in research on various topics of children's rights throughout the semester and have the opportunity to present their research to the class. Learners have the benefit of feedback on their research both from their peers and from the lecturer.

### **Range of modes of direct contact**

Teaching consists of weekly lectures for which learners are expected to have previously completed assigned reading and prepared draft answers to certain questions. In addition learners are expected to present on various topics assigned to them throughout the semester.

Total contact hours: 30 Hours

### **Range of other learning methods**

Independent learning and research supported with on line resources available through Moodle.

Total non-contact hours: 170 Hours

## Module Assessment Strategy

Assessment Methods			
Element number	Weighting	Type	Description
1	50	Continuous Assessment	<p>4,000-5,000 word essay  Oral presentation of topic to class  Learners are expected to present an individual piece of course work within this module. Learners are expected to critically assess issues pertinent to various children's rights at an international level.</p> <p>Learners are expected to address a wide range of relevant case law, regional and international treaty provisions, academic commentary or institutional documents and to develop a holistic and sophisticated understanding of the operation of international children's rights.</p> <p>Of the 50% allocated to the CA, the written part is worth 40% while the oral presentation is worth 10%</p>
2	50	Examination	Closed book examination: a 3 hour exam which covers the breadth of the course and requires learners to answer 3 questions out of 6, testing their ability to apply knowledge learned throughout the module.

## **Diagnostic/ formative assessment**

Feedback through formative assessment supports learners taking control of their own learning.

## **Further information on assessment**

Marking criteria are distributed to learners with each assignment brief. These are used to provide learner direction on all summative assessments.

<b>Assessment Strategy</b>		
<b>Module Learning Outcome</b>	<b>Element 1</b>	<b>Element 2</b>
1. Demonstrate a clear understanding and ability to critically evaluate of a variety of children's rights theories	✓	✓
2. Critically evaluate the historical evolution of children's rights at an international level	✓	✓
3. Analyse and explain the role and impact of the United Nations Convention on the Rights of the Child, 1989	✓	✓
4. Critically evaluate the definition and status of the child in international law	✓	✓
5. Critically analyse the extent to which the child's rights to protection, provision and participation are provided for in international law	✓	✓
6. Research, interpret and apply the principles of international law treaties to children's rights	✓	
7. Analyse factual legal problems in light of the principles of international children's rights.		✓

Please see **Annex 2** for Faculty Marking Criteria Guidelines and **Annex 3** for Sample Examinations and Continuous Assessment along with Marking Criteria