

LAWS70122 Trade, Human Rights and Development

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	This subject is not offered in 2014.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
Prerequisites:	None
Corequisites:	None
Recommended Background Knowledge:	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
Non Allowed Subjects:	None
Core Participation Requirements:	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: www.services.unimelb.edu.au/disability/
Contact:	For more information, contact the Melbourne Law Masters office. Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	<p>Both trade and human rights are today understood as key elements of successful development policy. However, both the historical and conceptual foundations of this apparent convergence demand careful investigation. While mainstream economic thinking presumes that trade is beneficial for poor countries, critics have pointed out the terms of trade have long been weighted in favour of western, developed States. Similarly, while the emerging consensus that adherence to global human rights norms is necessary for the achievement of good development outcomes, in the past the goals of development and of human rights were often understood as at odds with one another. Utilising historical, discursive, and case study-based methodologies, this subject will provide students with an opportunity to critically examine the convergence of trade and human rights with contemporary development policy and practice.</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> # Introduction to the contested meanings of human rights, trade and development # The historical evolution of the debate concerning the links between human rights and development, including the debate on the right to development # Rights-based approaches to development, including one or more case studies # The links between trade and development and trade and human rights, examined through case studies # An examination of the new turn towards human rights and law by the World Bank and the International Monetary Fund (IMF) # The debate over global versus local labour standards and the dilemmas over monitoring

	# The ethics, policy and law of the outsourcing debate and their links to human rights and development.
Learning Outcomes:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Understand the historical links between human rights, trade and development and their contested meanings # Have a good knowledge of the doctrinal debates about rights to development and the legal barriers in the institutionalisation of rights in the development process, as well as the place of law in the development process # Understand the practices of international economic institutions such as the World Bank, the International Monetary Fund (IMF) and the World Trade Organization, and the positions they have taken with respect to development and 'rights-based' development # Be aware of the dilemmas of introducing human rights in international trade negotiations and dispute resolution mechanisms, as well as the complexities of the labour standards debate # Be familiar with the experience of rights-based development in the domestic legal systems of selected countries, including the constitutionalisation of social and economic rights # Develop a critical perspective on the broad set of issues that lie at the intersection of human rights, trade and development, and be able to engage in related legal and policy matters.
Assessment:	Class participation (10%) Group exercise (10%) 8,000 word research paper (80%) (2 July) on a topic approved by the subject coordinator
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Details regarding any prescribed texts will be provided prior to the commencement of the subject.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Links to further information:	www.law.unimelb.edu.au/subject/LAWS70122/2014