

LAWS70386 Environmental Rights

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2012, Parkville This subject commences in the following study period/s: August, Parkville - Taught on campus.
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 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 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) or phone +61 3 8344 6190. Alternatively, visit our website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	With policy and law-makers under pressure to subordinate environmental concerns to short-term economic imperatives, environmental advocates are increasingly looking to human rights as a means of reinforcing the importance of environmental protection to human welfare. This subject will give students an overview of the relationship between human rights law and environmental protection at national and international levels. It will provide insight into strategic aspects of human rights advocacy for the environment, using case studies to explore the roles of different players (including the state, international organisations, business, non-governmental organisations, Indigenous peoples and individuals) in environmental protection. Ms Alice Palmer and guest lecturers will bring a practical perspective to this cutting-edge area of law. Principal topics will include: # The relationship between human rights and the environment # Human rights that protect the environment, including substantive rights such as the rights to privacy or health and procedural rights such as the rights to information or participation

	<ul style="list-style-type: none"> # The right to a clean and healthy environment # 'Sustainable development' and its relevance to human rights and the environment # The implications of human rights law for Indigenous peoples and the environment # The environmental justice movement # The implementation and enforcement of 'environmental rights' # National and international governance of human rights and global administrative law # 'Environmental rights' and business # The topics will be illustrated by cases and case studies relating to: <ul style="list-style-type: none"> # Claims in domestic courts, such as those under the Alien Tort Claims Act (USA) and national constitutions # Supervision by international and regional human rights bodies, such as the United Nations (UN) Human Rights Committee, the Inter-American Commission for Human Rights and the European Court of Human Rights # Accountability of international trade and finance institutions, such as the World Bank Inspection Panel # Corporate social responsibility.
Objectives:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> • Appreciate the complexity of human rights law in relation to environmental protection • Know what is meant by • Know the principal instruments that protect human rights and • Understand the governance structures that generate and protect • Be able to identify means for implementing and enforcing • Understand the implications of • Understand the implications of • Be able to evaluate the efficacy of a human rights approach to environmental protection
Assessment:	Class presentation and opinion piece (25%) (23 August) 7,000 word research paper (75%) (1 November) 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. Visit the Melbourne Law Masters website for more information about this 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:	http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/5176