

LAWS70432 Regional Human Rights Mechanisms

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	This subject is not offered in 2013.
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>The relevance of the subject is inspired by the Association of Southeast Asian Nations (ASEAN) creation of a regional human rights mechanism, the first such regional body in Asia. The United Nations (UN) organised workshops with experts from regional bodies to advise ASEAN on how a minimally credible regional human rights mechanism functions. The subject will examine what elements the existing regional human rights bodies – the European, the inter-American and the African – have in common and how they are different. The Professor worked for 33 years for the inter- American system. She spent different periods seconded to both the UN and the European systems and is also familiar with the African system. She participated as an expert in various UN and non-government organisation (NGO) sponsored workshops on the creation of a regional body and the drafting of a human rights declaration. The topic is designed to raise awareness in Australia about this new regional human rights body in the Asian region.</p> <p>Using the inter-American system as a model, the principal topics will include:</p> <ul style="list-style-type: none"> # Requirements for admissibility of a petition # Issues of competence # Fact-finding # Precautionary and provisional measures # Friendly settlements # Merits and reparations # Presentation of a case for litigation before the Inter-American Court

	<ul style="list-style-type: none"> # Defining the parties to the case and the scope of review # Compliance/lack of compliance with court judgments # Reconsideration/appeal from a court judgment.
Objectives:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have a sound understanding of how the European, Inter-American and African regional human rights bodies function and how they compare to the UN Universal Periodic Review process and the UN human rights treaty bodies; # Learn the history of the creation of ASEAN's intergovernmental commission on human rights; # Have an appreciation of the regional human rights instruments and the jurisprudence of the three regional systems and their policies on reparations with a comparison to the UN treaty bodies; # Learn how to present a petition before any of the three regional human rights mechanisms and before the UN treaty bodies; # Be able to carry out research into aspects of the substantive rights protected and how they are treated differently by the three regional mechanisms and the UN treaty bodies.
Assessment:	10,000 word research paper (100%) (29 January 2014) 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/subject/LAWS70432/2013