

## LAWS90018 Development, Labour and Human Rights

<b>Credit Points:</b>	12.5
<b>Level:</b>	9 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	2015, Parkville This subject commences in the following study period/s: March, Parkville - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
<b>Prerequisites:</b>	None
<b>Corequisites:</b>	None
<b>Recommended Background Knowledge:</b>	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.
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	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: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>
<b>Contact:</b>	For more information: Email: <a href="mailto:law-masters@unimelb.edu.au">law-masters@unimelb.edu.au</a> ( <a href="mailto:law-masters@unimelb.edu.au">mailto:law-masters@unimelb.edu.au</a> ) Phone: +61 3 8344 6190 Website: <a href="http://www.law.unimelb.edu.au/masters">www.law.unimelb.edu.au/masters</a> ( <a href="http://www.law.unimelb.edu.au/masters">http://www.law.unimelb.edu.au/masters</a> )
<b>Subject Overview:</b>	<p>The proper role to be played by labour standards and human rights in the construction of the international economic order, and in the development process, is an intricate issue and a matter of controversy. This subject examines the relationship between (economic) development and labour law – exploring the place of rights within both investment- and trade-led development models, and the contrasting social justice-based developmental approaches.</p> <p>In investigating the role of labour law in development, this subject interrogates the rationales, content, institutions and regulatory frameworks relating to labour standards and human rights at regional and international level. This entails not only a technical analysis of transnational instruments and supervisory structures but also detailed consideration of underlying political and economic concerns. Such regulatory frameworks for labour which have prevailed in the north have been the basis of transplantation and experimentation in the South, and might obscure the actual characteristics of labour relations in the south. The subject examines the redefinition</p>

	<p>of labour law, paying close attention to north-south relations in the regulation of labour; to the relationship between labour rights and human rights; and to the limits of rights discourse.</p> <p>Attention will be given to various case studies. Illustrative topics include:</p> <ul style="list-style-type: none"> <li># Introduction: Re-imagining labour law for development</li> <li># Labour and the turn to human rights discourse</li> <li># Rights in the new economy: informalisation, precarious work and the feminisation of labour</li> <li># Setting, supervising and enforcing international labour standards</li> <li># 'Core' labour rights and the International Labour Organisation</li> <li># Development, free trade and labour rights: socio-economic rights as a condition of international trade</li> <li># Competing regimes and norms on migrant labour</li> <li># The regional and sub-regional dimension: the African Union, ASEAN, SADC and CARICOM</li> <li># Labour dimensions of codes of conduct, social labelling and investor initiatives: effectiveness and legitimacy</li> <li># Between labour movements and social movements: practices and theories of local, national and international labour campaigns.</li> </ul>
<p><b>Learning Outcomes:</b></p>	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> <li># Have an advanced and integrated understanding of the ideas, doctrines and framework sustaining international labour rights and human rights in particular with respect to development processes</li> <li># Be able to critically examine, appraise, interpret and assess labour and human rights law, not only on their own terms, for example for clarity, consistency and coherence, but also from other points of view</li> <li># Be an engaged participant in debates regarding emerging and contemporary issues in the field, such as the informalisation of labour, 'core' labour rights, and the growth of the regional dimension of a labour law for development</li> <li># Be able to relate the legal rules to the experience in practice of those whom they most directly concern, considering the impact of labour regulation and human rights norms on workers, developing states, multinational enterprises, and their function in society and the global economy more generally</li> <li># Have developed analytical and research skills, as well as the capacity to understand and evaluate complex legal sources and literature, and literature in related disciplines</li> <li># Have the cognitive and technical skills to generate critical and creative ideas relating international labour rights and human rights in relation to development, and to critically evaluate existing legal theories, principles and practices with creativity and autonomy</li> <li># Have the cognitive and technical skills to independently examine, research and analyse existing and emerging legal issues relating to international labour rights and human rights in particular with respect to development processes</li> <li># Have the communication skills to clearly articulate and convey complex argumentation regarding labour law and human rights in developing and industrialised economies.</li> </ul>
<p><b>Assessment:</b></p>	<p>Take-home examination (100%) (8-11 May) or 10,000 word research paper (100%) (1 July) on a topic approved by the subject coordinator</p>
<p><b>Prescribed Texts:</b></p>	<p>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.</p>
<p><b>Breadth Options:</b></p>	<p>This subject is not available as a breadth subject.</p>
<p><b>Fees Information:</b></p>	<p>Subject EFTSL, Level, Discipline &amp; Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a></p>
<p><b>Links to further information:</b></p>	<p><a href="http://www.law.unimelb.edu.au/subject/LAWS90018/2015">www.law.unimelb.edu.au/subject/LAWS90018/2015</a></p>
<p><b>Notes:</b></p>	<p>This subject has a quota of 30 students. Please refer to the website <a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format">www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format</a> (<a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format">http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format</a>) for further information about the management of subject quotas and waitlists.</p>