

LAWS70122 Trade, Human Rights and Development

Credit Points:	12.5									
Level:	7 (Graduate/Postgraduate)									
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: April, Parkville - Taught on campus. This subject has a quota of 30 students. Please refer to the Melbourne Law Masters website for further information about the management of subject quotas and waitlists.									
Time Commitment:	Contact Hours: 24-26 hours Total Time Commitment: 136-150 hours 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.									
Prerequisites:	<p>Melbourne Law Masters Students: None</p> <p>JD Students: Successful completion of all the below subjects:</p> <table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50024 Principles of Public Law</td> <td>Semester 1</td> <td>12.5</td> </tr> <tr> <td>LAWS50041 Public International Law</td> <td>Semester 1</td> <td>12.5</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS50024 Principles of Public Law	Semester 1	12.5	LAWS50041 Public International Law	Semester 1	12.5
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LAWS50024 Principles of Public Law	Semester 1	12.5								
LAWS50041 Public International Law	Semester 1	12.5								
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 Student Equity and Disability Support.									
Coordinator:	Prof Sundhya Pahuja									
Contact:	<p>Lecturers</p> <p>Professor Sundhya Pahuja (http://www.law.unimelb.edu.au/staff/Sundhya%20Pahuja) (Coordinator)</p> <p>Associate Professor Ruth Buchanan (http://www.law.unimelb.edu.au/staff/Ruth%20Buchanan)</p> <p>Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au)</p> <p>Phone: +61 3 8344 6190</p>									

	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 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 will:</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%) (18 July) on a topic approved by the subject coordinator A minimum of 75% attendance is a hurdle requirement.
Prescribed Texts:	Specialist printed materials will be made available free of charge from the Melbourne Law School prior to the pre-teaching period.
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/LAWS70122/2016
Related Course(s):	<p>Graduate Diploma in Environmental Law Graduate Diploma in Human Rights Law Graduate Diploma in International Economic Law Graduate Diploma in International Law Graduate Diploma in Legal Studies Juris Doctor</p>

Master of Commercial Law
Master of Employment and Labour Relations Law
Master of Environmental Law
Master of Human Rights Law
Master of Law and Development
Master of Laws
Master of Public and International Law