

LAWS70382 Business and Human Rights

Credit Points:	12.5									
Level:	7 (Graduate/Postgraduate)									
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: May, 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 either of 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>LAWS50049 International Human Rights 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:	LAWS50049 International Human Rights Law	Semester 1	12.5	LAWS50041 Public International Law	Semester 1	12.5
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LAWS50049 International Human Rights 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.									
Contact:	<p>Lecturers</p> <p>Professor Joanne Bauer (http://www.law.unimelb.edu.au/staff/Joanne%20Bauer) (Coordinator)</p> <p>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)</p>									
Subject Overview:	The private sector represents one of the most important and daunting challenges facing the human rights community. As the reach and influence of companies have grown—sometimes									

	<p>dwarfing the states in which they operate—their impact on human rights has become impossible to ignore. Human rights have become the currency of major brands, helping determine Citibank financing, Exxon-Mobil relations with communities and working conditions along Wal-Mart's enormous supply chain. Shareholder activists, NGOs, social movements, the media and governments are demanding greater transparency and reporting on human rights. The United Nations (UN), the Organisation for Economic Co-operation and Development (OECD) and the multilateral banks have adopted human rights standards for companies, and a growing body of soft and hard law (domestic and international) is beginning to define the precise scope of corporate human rights obligations. This subject will explore the fast-growing field of business and human rights, highlighting the most critical legal and practical issues surrounding efforts to advance corporate responsibility and accountability.</p> <p>The lecturer has been working in the field of human rights for 25 years, 10 of those years in the field of business and human rights, as a researcher, advocate, and teacher. She co-leads the Teaching Business and Human Rights Forum, based at Columbia University, involving over 200 faculty at more than 130 institutions in 27 countries worldwide.</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> # The historic emergence of the business and human rights debate # The political and ideological challenge to applying human rights to business # The legal framework and institutions for corporate human rights accountability # The UN "Protect, Respect, Remedy" Framework and UN Guiding Principles # Multi-stakeholder initiatives and soft law human rights standards # Key legal challenges: 'Non-state actors', 'sphere of influence' and 'complicity' # Litigating corporate human rights # Non-judicial advocacy strategies # Business and human rights case studies # The business management perspective on human rights and implementation challenges.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Understand the current legal status of human rights as they apply to businesses # Recognise and understand the workings of the key legal instruments and bodies relevant to business and human rights # Understand the political, legal and practical challenges in applying human rights standards to businesses # Be able to apply general human rights principles to evaluate the conduct of companies in specific cases # Be able to think strategically about the different points of leverage (legal, financial, political) in promoting greater human rights accountability from companies.
Assessment:	<p>Class participation (15%) Take-home examination (5,000-6,000 words as specified in the subject reading guide, due 17-20 June 2016) OR Research paper on a topic approved by the subject coordinator (10,000 words, due 1 August 2016). (85%). A minimum of 75% attendance is a hurdle requirement.</p>
Prescribed Texts:	<p>Specialist printed materials will be made available free of charge from the Melbourne Law School prior to the pre-teaching period.</p>
Breadth Options:	<p>This subject is not available as a breadth subject.</p>
Fees Information:	<p>Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees</p>
Links to further information:	<p>law.unimelb.edu.au/subject/LAWS70382/2016</p>
Related Course(s):	<p>Graduate Diploma in Human Rights Law Graduate Diploma in International Law Graduate Diploma in Legal Studies Juris Doctor Master of Human Rights Law Master of Law and Development Master of Laws</p>

Master of Public and International Law