

# LAWS90044 Human Rights and Economic Globalisation

<b>Credit Points:</b>	12.5									
<b>Level:</b>	9 (Graduate/Postgraduate)									
<b>Dates &amp; Locations:</b>	2016, Parkville This subject commences in the following study period/s: August, 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.									
<b>Time Commitment:</b>	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.									
<b>Prerequisites:</b>	None									
<b>Corequisites:</b>	None									
<b>Recommended Background Knowledge:</b>	<p><b>Melbourne Law Masters Students:</b> It is recommended, though not required, that students have an understanding of Public International Law and International Human Rights Law, including the UN human rights system.</p> <p>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.</p> <p><b>JD Students:</b> We strongly recommend that JD students complete either of the below subjects before attempting this subject:</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								
<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 Student Equity and Disability Support.									
<b>Contact:</b>	<p><b>Lecturers</b></p> <p><b>Professor Nehal Buta</b> (<a href="http://law.unimelb.edu.au/about/staff/nehah-bhuta">http://law.unimelb.edu.au/about/staff/nehah-bhuta</a>) (Coordinator)</p> <p>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>)</p> <p>Phone: +61 3 8344 6190</p> <p>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>)</p>									

<b>Subject Overview:</b>	<p>The relationship between human rights and economic globalisation has taken different forms since the establishment of the UN. The early period was animated by the codification of economic, social and cultural rights, third generation solidarity rights, including peoples' rights to permanent sovereignty over natural resources. From the 1980s onwards, economic globalisation and the normative, legal and institutional means by which it would be advanced became dominant globally, with the negative influences of international trade and investment shaping the development of human rights. In the recent period, human rights have been situated as a response to many of the concerns around economic globalisation. With a focus on social-economic rights, this course will engage with human rights under conditions of economic globalisation from their normative and institutional beginnings to their recent application as bulwarks against current threats.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> <li># The post-1945 UN Charter international order and its relationship to developments in economic globalisation</li> <li># International protection of economic, social and cultural rights (standards and mechanisms, including the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights)</li> <li># Third generation solidarity rights: right to development; permanent sovereignty over natural resources and economic self-determination</li> <li># Regional protection of economic and social rights in context</li> <li># Fragmentation of international law?: human rights and international trade; human rights and international investment; business and human rights; international law and international justice</li> <li># Global capitalism and the shaping of rights, eg the rights of indigenous peoples; the UN Declaration on The Rights of Peasants.</li> </ul>
<b>Learning Outcomes:</b>	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> <li># Understand the approach, contribution and limits of the UN human rights machinery as well as regional human rights standards and mechanisms in addressing the harms of economic globalisation;</li> <li># Develop an understanding of how the content of socio-economic rights and obligations has been interpreted and applied under economic globalisation, eg: extraterritorial obligations, human rights impact assessment;</li> <li># Be able to assess and critically evaluate current developments, eg: responses to the financial crisis, the UN Sustainable Development Goals, the 'business and human rights' agenda;</li> <li># Have a highly developed understanding of the key debates among various actors and international institutions that drive economic globalisation, including in the areas of international trade and investment;</li> <li># Be exposed to literature and critical reflection from a range of cognate disciplines, such as economics, international political economy, and development studies helping students to understand what dominant perspectives and values shape globalisation and with what implications for human well-being, redistribution and justice.</li> </ul>
<b>Assessment:</b>	<p>Class Participation (20%) Take-home examination (5000-6000 words as specified in the subject reading guide) (80%) (7-10 October)OR 7500-8500 word research paper on a topic approved by the subject coordinator (80%) (16 November)</p>
<b>Prescribed Texts:</b>	<p>Specialist printed materials will be made available free of charge from the Melbourne Law School prior to the pre-teaching period</p>
<b>Breadth Options:</b>	<p>This subject is not available as a breadth subject.</p>
<b>Fees Information:</b>	<p>Subject EFTSL, Level, Discipline &amp; Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a></p>
<b>Links to further information:</b>	<p><a href="http://www.law.unimelb.edu.au/subject/LAWS90044/2016">www.law.unimelb.edu.au/subject/LAWS90044/2016</a></p>
<b>Related Course(s):</b>	<p>Graduate Diploma in Human Rights Law  Graduate Diploma in International Law  Graduate Diploma in Legal Studies  Juris Doctor  Master of Human Rights Law</p>

Master of Law and Development  
Master of Laws  
Master of Public and International Law