

# LAWS 3028 HUMAN RIGHTS AND THE ASIA PACIFIC

**Credit Points** 10

**Legacy Code** 200908

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**Description** This subject examines the place of regional human rights systems in the global architecture of human rights. Concepts of universalism, relativism and the 'Asian values' debate are examined. The record of human rights treaty ratification and compliance in Asia and the Pacific is examined within the context of the international treaty system as well as the ASEAN regional human rights regime. The development and implementation of international and domestic human rights protections in criminal law, constitutional law and institutional construction are examined across the region. The role of civil society, non-governmental organisations and networks, and middle powers in impacting the politics, law and institutions of human rights protections across the Asia-Pacific region is examined.

**School** Law

**Discipline** Law

**Student Contribution Band** HECS Band 4 10cp

Check your HECS Band contribution amount via the Fees ([https://www.westernsydney.edu.au/currentstudents/current\\_students/fees/](https://www.westernsydney.edu.au/currentstudents/current_students/fees/)) page.

**Level** Undergraduate Level 3 subject

**Pre-requisite(s)** LAWS 1006 OR LAWS 1003

## Learning Outcomes

On successful completion of this subject, students should be able to:

1. Demonstrate an understanding of how human rights are protected at the domestic, regional and international levels in the countries of Asia and the Pacific.
2. Integrate knowledge from a range of disciplines to evaluate how different philosophical, religious and cultural traditions in Asia and the Pacific relate to the international law of human rights.
3. Critically evaluate the effectiveness of different mechanisms and institutions for the protection and promotion of human rights in Asia and the Pacific.
4. Develop and present coherent arguments about complex human rights issues.
5. Possess a highly developed ability to communicate analysis effectively in a variety of appropriate scholarly and professional formats.
6. Ethically and accurately reference (using the Australian Guide to Legal Citation) legal information from a range of domestic and international primary and secondary sources.

## Subject Content

- The place of Regional human rights systems in The Global architecture of human rights
- Universalism, relativism and the "Asian values" debate
- Asia and The Pacific in The international system (human rights Treaty ratification record, compliance)

- ASEANs new Regional human rights regime (The Commission, The Declaration)
- The Pacific: sub-Regional human rights Developments
- Asia and international criminal Law: The arc of justice from Tokyo to Phnom Penh
- implementation of human rights at The state level in Asia and The Pacific: constitutional protection of rights
- implementation of human rights at The state level in Asia and The Pacific: national human rights institutions in Asia
- Regional behemoths and their different approaches to rights: India and China
- promotion and protection of human rights in Communist States: focus on Vietnam
- human rights under Military dictatorships: Myanmar (Southeast Asia) Fiji (The Pacific) North Korea (North Asia)
- The role of Civil society and non-governmental organisation and their networks in The Asia Pacific
- Australia and new Zealand: middle powers and The politics of human rights persuasion

## Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are regularly updated, where there is a difference your Learning Guide takes precedence.

Type	Length	Percent	Threshold	Individual/Group Task
Group Presentation	20 minutes	30	N	Group
Reflection	1,000 words	20	N	Individual
Research Essay	2,000 words	50	N	Individual

Prescribed Texts

- Prescribed materials will be available on vUWS. A limited number of hardcopies will also be available for purchase from the WSU bookstore.

Teaching Periods