

Human Rights and International Business and the Global Economy

Fall 2001- U9174x (76702) - M 4:00-6:00

Instructors

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Additional Visiting Instructors will be Presented

Prerequisites:

- International Law, equivalent course or experience
- Have taken International Economics I
- Have taken or be taking International Economics II and Human Rights in International and Domestic Law and Institutions or their equivalents
- Permission of Dr. Martin
- Enrolment in spring semester required for fall enrolment

Educational Objectives of the Course

This course is designed to prepare graduate students in international affairs and other disciplines to incorporate international human rights standards and ethical business practices into the design, implementation and evaluation of multi-national business activities, especially in developing countries. It will emphasize research skills and the design of innovative ways to improve relationships and promote active cooperation among governments, local organizations, international NGOs and the international corporations in order to maximize political and economic development benefits.

The promotion of human rights in developing countries requires multiple skills and insights. Substantial differences in the potential and functions of the actors (corporations, governments, NGOs etc.) are further conditioned by complex local factors impose critical choices. Special attention will thus be paid to skills and data needed to develop effective planning and design. Project evaluation training will draw on different disciplines, notably economics, law, and ethics.

The following major concepts will be covered during the course:

I. Human Rights Principles and their Application:

- To gain a substantive and theoretical knowledge of international human rights, including familiarity with the preparation and evaluation of human rights reports and with the major human rights monitoring methods and systems;
- To gain a multidisciplinary understanding of the social, political and economic context of, and potential remedial actions for, human rights violations in the context of international business;
- To gain an understanding of the basic principles of international human rights law and legal institutions, including the ability to enunciate a position on the universalist and cultural relativist debates and ways to promote South-South dialogue on the definition and promotion of human rights;
- To gain a knowledge of the role that human rights plays in current debates and processes associated with political and economic development and the promotion of civil society, including the work of local and international NGOs;
- To gain a knowledge of basic advocacy processes and familiarity with their use in both the domestic and international arena, and with the activities of the major human rights and humanitarian organizations such as Amnesty International and International Committee of the Red Cross;
- To examine the role of the United Nations and its human rights processes as well as ways to utilize the system to protect human rights endangered by new economic forces;
- To understand the human rights and other components of international codes of conduct.

II. Design, Planning and Evaluation:

- To gain an understanding of the basic skills that encompass planning, design and evaluation of human rights monitoring and social auditing, including economic indicators;
- To gain an understanding of and competence in the use of different monitoring and evaluation systems (needs assessment, goal setting, strategy development, personnel and materials selection and development, assessment of outcomes and program evaluation);
- **To gain an understanding of measurement and auditing tools used in measuring the social impact of corporate activities on local populations;**
- To gain an understanding of the role and function of multinational corporations in the globalization process as well as in domestic economies and politics;
- To gain an understanding of the main factors and processes of corporate strategic thinking and planning in association with human rights and social responsibility.
- To prepare carefully reasoned and documented reports and policy papers.

Course requirements

Students will be required to:

a) Participate in three segments:

- Spring preparatory seminar (3 credits) Completed
- Summer field research (internship credits) Completed
- Fall writing seminar (3 credits)

b) Complete all assigned readings and participate in classroom discussions

c) Prepare the following classroom presentations: summer research report (15 minutes), revised outline and thesis, final report ready for a publisher and corporate use. by December 3, 2001.

Participant Evaluation Criteria (Grading)

Students will be graded based on their level of class participation and the quality of their presentations and their final paper.

Reading Requirements

Recommended to buy

- Avery, Chris. 1999. *Business and Human Rights in a Time of Change*. Online at <http://www.business-humanrights.org/Chapter1.htm>
- CSHR. 1994. *Twenty-Five Human Rights Documents*. New York: Center for the Study of Human Rights (available at the Center for the Study of Human Rights).
- Frankental, Peter & Frances House. 2000. *Human Rights: Is it any of Your Business?* London: Amnesty International and the Prince of Wales Business Leaders Forum.
- Gladwin, Thomas N, and Walter, Ingo, *Multinationals Under Fire*, Lessons in Management of Conflict, New York, John Wiley and Sons. (out of print)
- Sen, Amartya K. 1999. *Development as Freedom*. New York: Knopf.
- **UNDP. 2000. *Human Development Report 2000*. New York: Oxford University Press. (excerpts ##)**

Recommended reading

- Addo Michael K., Ed. 1999. *Human Rights Standards and the Responsibility of Transnational Corporations*.
- Ball, Patrick, Herbert F. Spierer & Louise Spierer. 2000. *Making the Case, Investigating Large Scale Human Rights Violations Using Information and Data Analysis*. Washington, DC: American Association for the Advancement of Sciences.
- Biersteker, Thomas J. 1978. *Distortion or Development? Contending Perspectives on Multinational Corporation*. Cambridge, Mass.: MIT Press.
- Caves, Richard E., *Multinational Enterprise and Economic Analysis*, Cambridge University Press, 1982
- Compa, Lance A. & Stephen F. Diamond, Eds. 1996. *Human Rights, Labor Rights and International Trade Philadelphia*. University of Pennsylvania Press, pp.22-47
- Dieng, Adama Ed., 1999. "Globalization, Human Rights and the Rule of Law," *The Review of the International Commission of Journalists*, No. 61, especially Laurence Dubin, "The Direct Application of Human Rights Standards to, and by, Transnational Corporations." pp. 35-66.
- Donaldson, Thomas *The Ethics of International Business*, New York, Oxford University Press, 1989
- Frey, Barbara A. 1997. "The Legal and Ethical Responsibilities of Transnational Corporations in the Protection of International Human Rights." *Minnesota Journal on Global Trade*. Vol.6, no.153: 152-188.
- **The Hague; Boston: Kluwer Law International.**
- **Human Rights Watch. 1999. *The Enron Corporation: Corporate Complicity in Human Rights Violations*. New York: Human Rights Watch.**
- International Human Rights Internship Program. 2000. *Circle of Rights: Economic, Social & Cultural Rights Activism: A Training Resource*. Washington, DC: IHRIP & Forum-Asia. Excerpt
- IHS. 1999. *Peduli Hak: Caring for Rights*, Jakarta: Insan Hitawasana Sejahtera, (October):1(43)
- Lawyers Committee for Human Rights. 1993. *The World Bank: Governance and Human Rights*. New York: Lawyers Committee for Human Rights (August): 1-82.
- McPhail, Kathryn and Davy, Aidan, *Integrating Social Concerns into Private Sector Decisionmaking*, World Bank Discussion Paper #384, The World Bank, 1998.
- Meyer, William. 1998. *Human Rights and International Political Economy in the Third World Nations: Multinational Corporations, Foreign Aid, and Repression*. Westport, Conn.: Praeger.
- Mitchell, John ed. *Companies in a World of Conflict*, Royal Institute of International Affairs, Energy and Environmental Programme, 1998
- Orentlicher, Diane & Timothy Gelatt. "Public Law, Private Actors: The Impact of Human Rights on Business." 1993. "Investors in China." *N.W. Journal of International Law and Business*, 66: 96-102.
- Peterson, Kurt. 1992. "The Maquiladora Revolution in Guatemala." Occasional Paper Series (Orville H. Schell Jr., Center for International Human Rights); 2. New Haven: Yale Law School.
- Tavis, Lee A. 1988. *Multinational Managers and Host Government Interactions*. Notre Dame, Ind.: University of Notre Dame Press.
- Schoenberger, Karl. 2000. "Levi's Children: Coming to Terms with Human Rights in the Global Marketplace." New York: Atlantic Monthly Press.
- UNHCR. 2000. *Business and Human Rights, A Progress Report*. Geneva: UNHCR (January): 3-33.
- Utting, Peter. 2000. *Business Responsibility for Sustainable Development*. Occasional Paper No.2 (January), Geneva: UN Research Institute for Social Development.

Reports published by:

- Business for Social Responsibility
- Human Rights Watch

- Amnesty International
- Transparency International
- US Department of Labor, Bureau of International Labor Affairs:
"Wages, Benefits Poverty Line and Meeting Workers' Needs in the Apparel and Footwear Industries of Selected Countries" February 2000.
"By the Sweat and Toil of Children, Efforts to Eliminate Child Labor" 1998

Useful Websites:

- Business for Social Responsibility: www.bsr.org
- Fair Labor Association: www.fairlabor.org
- Council on Economic Priorities: www.cepaa.org and www.cepnyc.org
- Prince of Wales Business Forum: www.info@pwblf.org
- Ethical Trading Initiative: eti@cti.org.uk
- Human Rights Watch: www.hrw.org
- Amnesty International: www.amnesty.org
- International Labor Organization: www.ilo.org
- Ethical Trading Initiative (UK): www.ethicaltrade.org
- Minority Rights Group International: www.minorityrights.org
- GoodWorks International: www.goodworksintl.com

Schedule: Fall Semester (3 credits)

Monday September 10

Discussion of Semester's work and oral reports on summer work.

- Henry Steiner and Philip Alston, *International Human Rights in Context*, pp. 3-116.

Monday September 17

Oral Presentations of Initial Written Reports on Research in Indonesia, Brazil, Botswana and Chad.

Readings:

- Human Rights Watch, 1999, The Enron Corporation: Corporate Complicity in Human Rights Violations
- Liability for Environmental Damage and the World Bank's Chad Cameroon Oil Pipeline Project, NC-IUCN Symposium, February 2000, or
- Genoveva Uriz, To Lend or not to Lend (Readings #2)
- Values in Tension, Thomas Donaldson (Reading #2)

Monday September 24

Reports from Venezuela

- How Do We Stand? People, Planet and Profits. Shell Corporation, 2000
- BP Environmental and Social Review 2000
- Integrating Social Concerns into Private Sector Decision-making, A Review of Corporate Practices in the Mining, Oil and Gas Sectors. World Bank Discussion Paper #384, Kathryn McPhail.
- Principles for Global Corporate responsibility: Benchmarks for Measuring Business Performance, Interfaith Center for Corporate Responsibility, 1998
- Operating in Unsettled Countries, Donal O'Neill (Readings #2)
- Political Instability and Business, Frynas (Readings #2)
- Mapping the Research Knowledge Base, Warwick Business School (Readings #2)

Monday October 1

Structure of Reports and Putative Causalities:

Readings:

- Corporate Roles and Rewards in Promoting Sustainable Development, Energy and Resources group, University of California-Berkeley, Peter H. May et al. January 1999. (Readings #2)
- Development Revisited, Paul Martin (Readings #2)
- UN Interagency Workshop on Human Rights Approach (Readings #2)

Monday October 8

Presentation of Written Summaries and Outlines of Reports I

Venezuela and Botswana

Monday October 15

Presentation of Written Summaries and Outlines of Reports II

Brazil, Chad and Indonesia

Monday October 22

Expert Presentations I: Getting Results: Follow-Up on Reports and Recommendations; Choice of Compliance Mechanisms and Modes

Monday October 29

Expert Presentations II

Monday November 12

Oral Presentations of Written Reports to Expert Judges I

Venezuela

Monday November 19

Oral Presentations of Written Reports to Expert Judges II

Chad and Botswana

Monday November 26

Oral Reports of Written Presentations to Expert Judges III

Brazil and Indonesia

Monday December 3

Final Texts deposited (electronic and hard copy) with instructors and Group Review of Colloquium and Instructors' Overall Report "Corporate Social Action in Developing Countries: Initial Lessons.

All well-written reports will be incorporated in to a single volume to be shared with the groups and institutions in the US and overseas who have cooperated in the Colloquium. Please use the following format: Times New Roman #12, single-spaced, 1-inch margins, justified only on left, bold. same size headlines within text, footnotes, not end notes, each essay with executive summary.