Human Rights, Peace and Business

Course Outline for PACS 324, Winter 2017

Instructor: Kevin Ranney
Conrad Grebel University College
Phone: 647-317-3633
Email: kdranney@uwaterloo.ca

Office hours: Wednesdays, 4-6 pm, Room GC2116, Grebel
Class room: Room 1300, Conrad Grebel University College
Class meeting time: Wednesdays, 7:00-9:45 pm

OVERVIEW

COURSE DESCRIPTION
This course focuses on the impact of business activities on human rights and peace, and on approaches to improving that impact. It does so against the backdrop of an international economic and political system that is increasingly complex, interconnected and interdependent, and in which there are major gaps in the governance systems relevant to human rights. Such gaps create space within which business activities, often inadvertently, may contribute to the violation of human rights and/or the perpetuation of conflict.

While recognizing and understanding the negative impacts that corporations can have, we will identify and assess a number of key initiatives that have emerged with the goal of addressing negative impacts and facilitating more positive outcomes. Many such initiatives reflect emerging approaches to governance that emphasize multi-stakeholder participation and the role of “soft” regulation that evolves over time.

A premise of the course and its approach is that, while business can have negative impacts, they can also contribute to solutions. Indeed, because they are not going to go away any time soon, they must be part of any solutions that are to be successful in addressing corporate impacts on human rights. However, it is critical to consider, as we will in this course, what conditions and governance structures are conducive to positive outcomes.

LEARNING APPROACH
This is a seminar course that will emphasize critical analysis, discussion and the articulation of well-grounded opinion. Our approach does not assume that there is one “right” answer to questions posed or issues discussed, but rather that there are ways of thinking that will enable students to develop their own personal philosophy. It also assumes that students learn best and internalize lessons learned most effectively in a process of dialogue with each other, the instructor, guest presenters, and other resource
materials utilized in class. Students must therefore personally wrestle with concepts discussed in order to benefit from the course. Teaching methodologies that will be used will include:

- seminar interaction among students, instructor, and guests;
- small group discussions during class;
- student questions posed in class;
- videos;
- case studies;
- discussion of current events relevant to course topics;
- student involvement in presenting research and assignments.

LEARNING OUTCOMES

By the end of the term, students should be able to:

- Understand and describe some ways in which the activities of business can directly or indirectly affect peace and the protection of human rights;
- Articulate a position regarding what responsibilities businesses have, if any, with respect to the impacts of their activities on peace, human rights, and society at large;
- Become familiar with the field of Corporate Social Responsibility and how it is influencing corporate practices;
- Become familiar with the core body of international human rights declarations and covenants;
- Understand and explain the “governance gap” in the international human rights regime and how it contributes to undermining the protection of human rights abuses associated with business activities;
- Explain how globalization has contributed to the creation of this governance gap;
- Become acquainted with several multi-stakeholder initiatives that have emerged to advance the protection of human rights especially with respect to the activities of business;
- Identify the conditions under which businesses can play a role in minimizing human rights risks associated with their activities and in advancing the cause of peace and human rights more generally;
- Research and assess a company’s human rights performance.

Students will benefit from approaching the course with curiosity; a readiness to engage with multiple perspectives and to think both openly and critically about those perspectives; a willingness to investigate and “dig”; and an ability to synthesize diverse content and analysis from a wide range of sources.

READINGS

There is one text for the course: John Ruggie, *Just Business*, W. W. Norton & Company, Inc., 2013. It is available at the bookstore. Other required readings are available on Course Reserves unless otherwise noted below. Additional suggested readings and resources will be posted on LEARN.
PACS 324: Human Rights, Peace and Business, Winter 2017

COURSE ASSESSMENT
The final course mark will be based on the following:

<table>
<thead>
<tr>
<th>Component</th>
<th>Period</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class attendance and participation</td>
<td>Ongoing</td>
<td>10%</td>
</tr>
<tr>
<td>Mid-term test</td>
<td>February 8</td>
<td>15%</td>
</tr>
<tr>
<td>Two reflection papers</td>
<td>First due Jan 25; second due Mar 1</td>
<td>20%</td>
</tr>
<tr>
<td>Case study</td>
<td>Group presentations delivered weeks 8 to 11</td>
<td>12.5%</td>
</tr>
<tr>
<td></td>
<td>Group report, due day of presentation</td>
<td>12.5%</td>
</tr>
<tr>
<td>Research paper</td>
<td>Due Apr 8</td>
<td>30%</td>
</tr>
</tbody>
</table>

A detailed overview of each component is provided in the Course Assessment Details section below.

COURSE SCHEDULE
The following schedule may be adjusted from time to time to reflect the pace of the course. Any changes will be announced in advance in class or on LEARN.

WEEK 1 – JAN 4: INTRODUCTION AND OVERVIEW

Readings
- none

WEEK 2 – JAN 11: THE CHALLENGE

Focus Questions
- What kinds of human rights impacts can companies in various industries have?
- How might they be implicated or complicit in the violation of human rights?
- Who’s in charge of ensuring that violations do not occur? Is there a “governance gap”?

Readings

Additional Preparation
- Browse the website of the Business & Human Rights Resource Centre: http://business-humanrights.org/
- Select and read one of the case studies posted on LEARN (Week 2 module) and come prepared to describe and discuss. In reading the case study and preparing your thoughts, ask the questions: What is the nature of the human rights concerns? What are its causes? What can be done to
address the concern? Who has the ability and responsibility to address it? What do you think about the tone/credibility of the coverage?

**WEEK 3 – JAN 18: WHAT ARE THE AIDS AND RESPONSIBILITIES OF BUSINESS?**

**FOCUS QUESTIONS**

- What is the nature of business? What motivates business?
- Do businesses have specific social responsibilities and/or a responsibility to serve the public interest? Should they be more than “economic actors”? Isn’t serving the public interest the role of the state?
- What is the common good? Whose responsibility is it to serve the common good?

**READINGS**


**WEEK 4 – JAN 25: WHAT ARE HUMAN RIGHTS?**

**FOCUS QUESTIONS**

- What are human rights? What are their limits?
- Against whom are human rights claims made? (i.e. who has the duty to protect/respect human rights?)
- Can human rights be collective?
- What is the international human rights regime? What governance mechanisms exist to enforce and advance human rights?

**READINGS**

- View online: The International Bill of Human Rights:
  - All 30 Articles of the Universal Declaration of Human Rights, *Print and bring a copy to class*
  - Preamble through Article 25 of the International Covenant on Economic, Social and Cultural Rights
  - Preamble through Article 27 of the International Covenant on Covenant on Civil and Political Rights
- Review the website of The Office of the High Commissioner on Human Rights

**Due at the beginning of class: first reflection paper.**

**WEEK 5 – FEB 1: THE GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS**

**FOCUS QUESTIONS**
- What is the responsibility of *government* and of *business* to ensure the protection of human rights?
- What distinguishes Ruggie’s approach?
- Why have the Guiding Principles received so much uptake?

**READINGS**

**ADDITIONAL PREPARATION**
- Review the human rights policy of a company (options will be posted on LEARN, Week 5 module) and record:
  - What definition (if any) of understanding of human rights is reflected in the policy?
  - Does the policy make reference to international human rights standards such as those articulated in the Universal Declaration of Human Rights
  - What commitments does the company make to uphold human rights?
  - What understanding does the company appear to have with respect to its *ability* and *responsibility* to respect and uphold human rights?
  - *Print and bring a copy to class.*

**WEEK 6 – FEB 8: THE BUSINESS CASE FOR CSR (AND HUMAN RIGHTS)**

**FOCUS QUESTIONS**
- Can strong CSR and human rights practices serve the interests of business?
- Can they reduce business risk and strengthen the bottom line?
- How do human rights issues connect with the drivers of business value?
- How is corporate transparency on human rights issues evolving?

**Readings**

- Review the website of the Global Reporting Initiative. In the “Reporting” section of the site find and download the “G4 Guidelines”. Read the introduction and the section on human rights.

The mid-term test is scheduled for the first half of this class.

**Week 7 – Feb 15: Business, Civil Society and Governance**

**Focus Questions**

- What, if any, is the appropriate role of business in global governance? Is CSR “privatizing” governance?
- What is the role of civil society in global governance? In influencing business behaviour?
- What patterns of governance are emerging in the context of a globalized world characterized by governance gaps?
- What role does “soft” regulation have to play?

**Readings**


**Feb 22 – reading week, no class**
PACS 324: Human Rights, Peace and Business, Winter 2017

**WEEK 8 – MAR 1: HUMAN RIGHTS, FINANCE AND RESPONSIBLE INVESTMENT**

**FOCUS QUESTIONS**
- How do finance and investment decisions contribute to respect (or not) for human rights?
- Why/how might investors be a positive force for the advancement of human rights?
- How might corporate transparency contribute to the advancement of human rights?

**READINGS**
- International Finance Corporation’s Performance Standards on Environmental and Social Sustainability. Read the Overview (pp. i-ii) and Performance Standard 1 (pp. 1-9). (Available at [http://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/ifc+sustainability/publications/publications_handbook_pps](http://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/ifc+sustainability/publications/publications_handbook_pps).)
- Visit the websites of:
  - The Principles for Responsible Investment
  - Shareholder Association for Research & Education (SHARE)
  - As You Sow

Due at the beginning of class: second reflection paper.

**WEEK 9 – MAR 8: THE EXTRACTIVE INDUSTRIES AND INDIGENOUS RIGHTS**

**FOCUS QUESTIONS**
- What are indigenous rights?
- How are such rights affected by corporate activities?
- What are the ways in which mining, oil and gas, and forestry companies can impact human rights and indigenous rights?
- What is the principle of Free, Prior and Informed Consent?
- Can companies contribute to respect for indigenous rights? If yes, how?

**READINGS**

Due at beginning of class: submission of topic for research paper.

**WEEK 10 – MAR 15: HUMAN RIGHTS AND THE SUPPLY CHAIN**

**FOCUS QUESTIONS**
- How are some companies exposed to human and labour rights violations through their supply chains?
- What policies and practices enable some companies to manage this exposure?

**READINGS**

**ADDITIONAL PREPARATION**
- Review the website of at least two of the following:
  - o Kimberly Process
  - o Responsible Jewellery Council
  - o Conflict-Free Tin Initiative
  - o Apparel Industry Initiative
  - o Fair Labor Association
- Note the aims of each initiative, the nature of the standards involved, the governance of initiative, and any mechanisms to ensure compliance. How likely is it that the initiative will have any impact?

**WEEK 11 – MAR 22: BUSINESS AND HUMAN RIGHTS IN CONFLICT-AFFECTED AREAS**

**FOCUS QUESTIONS**
- How might businesses be implicated in or contribute to the perpetuation of conflict and/or to human rights abuses related to the internet and social media?
- How should business manage this exposure?
- Can businesses possibly make a positive contribution?
**Readings**
- Review the website of the Global Network Initiative: [https://www.globalnetworkinitiative.org/](https://www.globalnetworkinitiative.org/).
- Review the website of the Ranking Digital Rights project: [https://rankingdigitalrights.org/](https://rankingdigitalrights.org/).

**WEEK 12 – MAR 29: WHERE IS CSR HEADING? CONCLUSIONS AND WRAP-UP**

**Focus Questions**
- How might CSR and corporate respect for human rights evolve in the future?
- What capabilities are required within companies?
- What is sustainable/responsible business of the future?
- What is the future of governance?

**Readings**

**Due five days later, before midnight on April 8: Research paper.**
COURSE ASSESSMENT DETAILS

CLASS ATTENDANCE AND PARTICIPATION (10% OF COURSE GRADE)

This will be an interactive class in which learning will best take place in the context of vigorous discussion. All are expected to read all assigned readings, consider them thoughtfully, and come prepared to discuss and reflect on them in class. For some classes there will also be additional preparation designed to facilitate informed discussion and learning.

It is expected that students will attend class, participate meaningfully in small group and class discussions, and be prepared occasionally to share what they are learning through their own research and writing assignments.

NOTE RE ASSIGNMENT DEADLINES

Deadlines are firm. Late assignments will be assessed an automatic penalty of 5% with an additional 2% penalty per additional day. A valid medical document is required for medical excuses.

MID-TERM TEST (15%)

The heart of PACS 324 will be reflection and analysis on questions surrounding business, human rights and peace.

However, in order to engage in such reflection and analysis, students will be required to learn and comprehend certain content. An in-class test will serve this goal. It will be a straightforward one-hour test, drawing directly from assigned readings and lecture notes.

➢ Test Date: February 8, during the first half of our normal class period.

REFLECTION PAPERS (20%)

Two brief (1-2 page) reflection papers will be written, one on an assigned topic and the other on a topic selected from one of the four subsequent classes, as explained below.

The purpose of these papers is to give you an opportunity to formulate and articulate your personal views regarding two important questions. There are no ‘right’ answers, but your opinions should nonetheless be well-grounded and clearly articulated. The topics are as follows:

1. First reflection paper: What responsibilities, if any, do businesses have to society beyond operating within the law? What is the basis for your view?

➢ Due Date: Beginning of class on January 25.
2. **Second reflection paper:** Topic of your choice, selected from week 4, 5, 6, or 7.

   ➢ **Due Date:** Beginning of class on March 1.

Reflection papers may be handed in in hard copy or via a drop box on LEARN.

**Case Study (25%)**

The case study assignment will be carried out in groups and will include:

1. A class presentation by the group, worth **12.5%** of the course mark. Presentations will:
   a. be approximately 30 minutes in length, including a brief Q&A period
      i. The presentation time, to the extent possible, should be divided evenly among members of the group.
   b. be delivered in class during week 8 (Mar 4) through to week 11 (Mar 25).

2. A case study report, prepared and submitted by the group, also worth **12.5%** of the course mark. Reports will be:
   a. Substantially the same in structure and content as the presentations;
   b. Due at the beginning of the class in which the presentation is to be made;
   c. Handed in via a drop-box on LEARN.

The purpose of the case study is to research and analyze a multi-stakeholder initiative that has been established with the goal of addressing corporate impacts on human rights (possibly among other things).

A template and guidance document for this assignment, together with a grading rubric, will be posted on LEARN. It will provide a structure for the case study, guidance notes on the purpose and content of each component of the study, and tips on how to research relevant initiatives and companies.

Conducting the case study will require detailed research using a variety of sources. In addition to the guidance document mentioned above, in-class instruction will be provided early in the course.

Each student will be assigned to a group on LEARN.

*Note Regarding Group Work and Evaluation*

Group work is intended to facilitate collaboration and shared learning. It can often be rewarding and result in the emergence of insights that might not have arisen through individual work. Group processes also create the possibility that some members contribute more than others. If a perceived imbalance in the relative contribution of group members becomes a matter of concern to one or more members, they are encouraged to address the problem directly and diplomatically with the person(s) implicated. If this approach does not resolve the matter the concerned member(s) should discuss it with the course instructor, who will explore with them solutions to the problem.
Ideally, the grade awarded for both the group presentation and written report will be the same for all members of the group. However, in the unlikely event that a major disparity in contribution remains, an adjustment factor may be applied to each member’s grade for the assignment.

**Research Paper (30%)**

The research paper will be an opportunity to delve more deeply into a topic or theme addressed in the course.

Your research paper must:

1. Address a topic/theme of the course or closely related to a topic/theme of the course;
2. Be a maximum of 15 pages in length (not including the title page and bibliography), double-spaced, using a 12-point standard font with 1-inch margins;
3. Include a title page with the paper title, student’s name, ID, course number, and title;
4. Include footnotes (not endnotes) and a bibliography.

Additional guidance on the research process, the structure for this paper, possible topics and a grading rubric will be posted on LEARN.

Please submit in a format compatible with Microsoft Word as I normally enter comments and feedback directly into the document.

- **Due Date:** Paper are to be submitted by midnight on April 8 via a drop-box on LEARN. Papers may not be submitted by fax or by e-mail.

- **Students are required to submit a topic to the instructor by email before class on March 8.**
  - The email submission should present and explain in one paragraph:
    1. your topic
    2. how it is relevant to the area of human rights, business and peace,
    3. the main research questions that you plan to pursue,
    4. at least two sources that you will use.
  - *The submission will account for 5% of your grade on the paper. Students that make the submission on time covering all four elements above with receive the full 5%. A deduction of 1% per late day will apply.*
  - During class on that day, March 8, students will be asked to share, in pairs or small groups, their topics and the questions that they intend to pursue in their paper.
UNIVERSITY OF WATERLOO POLICIES

ACCOMMODATION FOR ILLNESS OR UNFORESEEN CIRCUMSTANCES
From time to time students become ill or have ongoing medical conditions that prevent them from meeting academic obligations. The University is committed to assisting students who are ill and has established the following policy, which is fair and practical.

DOCUMENTATION
Students in on-campus course who are ill and unable to meet assignment due dates or write a term test or final examination should seek medical treatment and provide confirmation of the illness to the instructor(s) within 48 hours by submitting a completed uWaterloo Verification of Illness Form to support requests for accommodation due to illness. Students in distance education courses must also provide confirmation of the illness but submit it to the Distance Education Office. The uWaterloo Verification of Illness Form is normally the only acceptable medical documentation and is available on line at: http://www.healthservices.uwaterloo.ca/Health_Services/verification.html. Students who consult their physician or use the services of an off-campus walk-in clinic must provide this form to the attending physician for completion. Doctor’s notes and forms created by the physician or clinic are normally not acceptable. Although not compelled to do so, instructors may accept medical documentation that contains the same information specified on the uWaterloo Verification of Illness Form. Health Services charges a $10 fee for completing the University of Waterloo Verification of Illness Form, which is not covered by OHIP/UHIP. Fees for this service levied by off-campus practitioners are the student’s responsibility.

STUDENTS WITH DISABILITIES
The Office for Persons with Disabilities (OPD), located in Needles Hall, Room 1132, collaborates with all academic departments to arrange appropriate accommodations for students with disabilities without compromising the academic integrity of the curriculum. If you require academic accommodations to lessen the impact of your disability, please register with the OPD at the beginning of each academic term.

ACADEMIC INTEGRITY
In order to maintain a culture of academic integrity, members of the University of Waterloo community are expected to promote honesty, trust, fairness, respect and responsibility. See the UW Waterlooo Academic Integrity Webpage (https://uwaterloo.ca/academic-integrity/) and the Arts Academic Integrity Office Webpage (http://arts.uwaterloo.ca/current-undergraduates/academic-responsibility) for more information.

DISCIPLINE
A student is expected to know what constitutes academic integrity to avoid committing academic offenses and to take responsibility for his/her actions. A student who is unsure whether an action constitutes an offense, or who needs help in learning how to avoid offenses (e.g., plagiarism, cheating) or about “rules”
for group work/collaboration should seek guidance from the course professor, academic advisor, or the undergraduate associate dean.

For information on categories of offenses and types of penalties, students should refer to Policy 71, Student Discipline. For typical penalties check Guidelines for the Assessment of Penalties.

**Intellectual Property**

Students should be aware that this course contains the intellectual property of their instructor, TA, and/or the University of Waterloo. Intellectual property includes items such as:

- Lecture content, spoken and written (and any audio/video recording thereof);
- Lecture handouts, presentations, and other materials prepared for the course (e.g., PowerPoint slides);
- Questions or solution sets from various types of assessments (e.g., assignments, quizzes, tests, final exams); and
- Work protected by copyright (e.g., any work authored by the instructor or TA or used by the instructor or TA with permission of the copyright owner).

Course materials and the intellectual property contained therein, are used to enhance a student’s educational experience. However, sharing this intellectual property without the intellectual property owner’s permission is a violation of intellectual property rights. For this reason, it is necessary to ask the instructor, TA and/or the University of Waterloo for permission before uploading and sharing the intellectual property of others online (e.g., to an online repository).

Permission from an instructor, TA or the University is also necessary before sharing the intellectual property of others from completed courses with students taking the same/similar courses in subsequent terms/years. In many cases, instructors might be happy to allow distribution of certain materials. However, doing so without expressed permission is considered a violation of intellectual property rights.

Please alert the instructor if you become aware of intellectual property belonging to others (past or present) circulating, either through the student body or online. The intellectual property rights owner deserves to know (and may have already given their consent).

**Grievance**

A student who believes that a decision affecting some aspect of his/her university life has been unfair or unreasonable may have grounds for initiating a grievance. Read Policy 70, Student Petitions and Grievances, Section 4 (https://uwaterloo.ca/secretariat/policies-procedures-guidelines/policy-70). When in doubt please be certain to contact the department’s administrative assistant who will provide further assistance.

**Appeals**

A decision made or penalty imposed under Policy 70, Student Petitions and Grievances (other than a petition) or Policy 71, Student Discipline may be appealed if there is a ground. A student who believes
he/she has a ground for an appeal should refer to Policy 72, Student Appeals (http://www.adm.uwaterloo.ca/infosec/Policies/policy72.htm).

**ACADEMIC INTEGRITY WEBSITE (ARTS)**
http://arts.uwaterloo.ca/arts/ugrad/academic_responsibility.html

**ACADEMIC INTEGRITY OFFICE (UWATERLOO)**
http://uwaterloo.ca/academic-integrity

**PLAGIARISM DETECTION SOFTWARE**
PLAGIARISM DETECTION SOFTWARE (TURNITIN) WILL BE USED TO SCREEN ASSIGNMENTS IN THIS COURSE. THIS IS BEING DONE TO ASSIST STUDENTS LEARN HOW TO PROPERLY ATTRIBUTE SOURCES, BECOME BETTER WRITERS, AND TO VERIFY THAT USE OF ALL MATERIAL AND SOURCES IN ASSIGNMENTS IS DOCUMENTED. STUDENTS WILL BE GIVEN AN OPTION IF THEY DO NOT WANT TO HAVE THEIR ASSIGNMENT SCREENED BY TURNITIN. IN THE FIRST LECTURE OF THE TERM, DETAILS WILL BE PROVIDED ABOUT THE ARRANGEMENTS FOR THE USE OF TURNITIN IN THIS COURSE.

**Students need to inform the instructor by Feb 11** if they do not wish to have their work submitted to Turnitin. See http://uwaterloo.ca/academic-integrity/integrity-waterloo-faculty/turnitin-waterloo for more information.

**CROSS-LISTED COURSE**
Please note that a cross-listed course will count in all respective averages no matter under which rubric it has been taken. For example, a PHIL/PSCI cross-list will count in a Philosophy major average, even if the course was taken under the Political Science rubric.