

Dr. Janne Mende
ICDD, Kleine Rosenstr. 3, 34109 Kassel, room 3011
E-Mail: Janne.mende@uni-kassel.de
Office hour: Wednesday 3-4p.m. after prior appointment.
For organizational questions: Halyna Semenyshyn,
halynasemenyshyn@yahoo.com

U N I K A S S E L
V E R S I T Ä T

Business and Human Rights: Opportunities and Challenges

Summer term 2017, ICDD, room 3023, 6 credits

Course Content

To what extent can the private sector assist in promoting human rights? With the rise in corporate social responsibility and gender equality in large corporations, this course examines the United Nations mechanisms, the human rights impact made by the business sector, as well as its limits, critiques, and challenges.

Course Requirements

- Full attendance of the course and the study trip.
- Reading the reader texts carefully. Literature is available in the Berlin Moodle system.
- Text summary (10%): 1-3 pages summary of one of the texts for sessions 7-8 (Hsieh, Scheper, Kurucz et al. or Ramasastry) to be submitted **by June 1st (before the ESI starts)**.
- Case study in working groups (33%):

1) Build a working group of 5 members. (We will do that together during our first course session). Choose an empirical case to which the question of business and human rights is relevant. Possible topics include, but are not limited to: Rama Plaza; Shell in Nigeria; Nike in Indonesia; Nike and the Unfair Business Practices Act in California; involvement of Merck or Anglo American or Coca-Cola in HIV/AIDS treatment; Tobacco Framework Agreement.

2) Prepare a fact sheet of 1-3 pages that includes the following:

- key data of your case (who, when, what, why)
- research question/puzzle: What is intriguing, what do you want to find out/discuss about the case? Use the meetings in Geneva to find answers or further information about your case.
- 2-3 academic sources that discuss your case

Submit the fact sheet to me as e-mail attachment by **June 11th (before the study trip)**.

3a) Presentation of the case, your puzzle and your findings (not longer than 15 minutes) on July 6th. Include a) the main arguments (identify key points of the case and arguments from academic sources, explain them in your own words, and demonstrate how they are linked to one another and to our previous discussions), b) questions, controversies, reflections.

3b) Corresponding class activity (not longer than 15 minutes): You are free to choose any format and any kind of learning material (newspaper articles, films, statistics, cartoons, music, maps ...). The only condition is that your activity involves everyone in class and facilitates learning on the topic of your presentation. Be aware that the timing of your activity is crucial for its success; plan in advance and make sure that you have in place all the materials and devices needed. Time frame for both presentation and class activity: **30 minutes**.

- Research paper (57%): Length: app. 4.000 words, 2 persons 6500 words (excluding the bibliography). Submit the paper digitally, in one single pdf-document named: "Your last name-shortened title" to me. Formatting: Times New Roman, font 12, 1,5 line spacing.

Deadline: August 30th 2017.

Criteria for Grades:

Presentation: concise argumentation, well structured, difficult/broad text base, time-management, class activating activity, inclusion of topics from course sessions.

Research Paper: The paper should critically discuss the topic of your presentation **or** another topic of your choice that is related to the course, building upon the reading and at least ten other sources. You should start by identifying a research question or a puzzle or a hypothesis which you will discuss in your paper. Make sure that your question is (a) sufficiently specific; (b) answerable, (c) clear and concise and (d) relevant to the course.

The research question will guide you when you are looking for relevant literature. At the same time, you will have to do some research and readings before you can develop your research question. Once you have developed your question, it will help you to produce a draft structure. Yet, the details of the question might change during the course of writing.

Roughly, the paper should contain of three main parts (the chapters may be structured differently, though):

1. Introduction: This is where you set the scene. You will have to describe the context of your research, state your research question and the reasons for it, describe your strategy for answering it, and provide a short overview of the structure of your paper.
2. Main Body: This is where you present your main arguments. This involves analyzing your object of research, which means presenting and commenting on both facts and figures and analyses provided by other authors, and presenting arguments allowing you to sketch an answer to your research question. The main body can be divided into sub-sections.
3. Conclusion: This is where you give a final verdict on your research question based on the analysis that you have developed in the previous chapters, and where you can spell out potential implications of your research.

General recommendations:

-Analysis instead of description, policy paper or opinion! Your answer to/discussion of your research question should be an analysis/a deepened involvement with the topic. This may include an introductory description or concluding remarks, but the main part of your paper should be dedicated to an analytical/critical/controversial = reflexive discussion of the topic, for example by discussing different (also contradicting) scientific sources with and against each other. All conclusions should be based on your discussion of academic sources. This is how conclusions differ from mere opinions.

- Do NOT use the following as if they were scientific, reliable sources: documentaries, school books, Wikipedia, journalistic articles, non-scientific encyclopedia, dictionaries.

- Quotation: Choose your style and stick to it throughout the paper. I recommend Harvard Style: "text text (Smith 1997: 99) text." Sources in an annexed bibliography.

- Plagiarism is not acceptable and will not be tolerated. If you are found to have plagiarized passages of your coursework, you will fail the class. In serious cases the board of examiners can bar you from future examinations.

For academic standards, see: http://www.yorku.ca/tutorial/academic_integrity/index.html, <http://owl.english.purdue.edu/owl/owlprint/658/>

Course Syllabus

Date	Topic	Readings
June 8 th 12 a.m.-2 p.m. (session 1)	-introduction into course requirements -organizational questions about study trip - basics about human rights	
June 8 th 2-4 p.m. (session 2)	-business responsibility for human rights	Avery, Chris (2000): Business and human rights in a time of change. In: Kamminga, Menno T./Zia-Zarifi, Saman (eds.): Liability of multinational corporations under international law. The Hague: Kluwer Law International, pp. 17-74.
June 8 th 4-6 p.m. session (3)	-business actors between the public and the private	Ruggie, John G. (2004): Reconstituting the global public domain. Issues, actors, and practices. In: <i>European Journal of International Relations</i> , 10 (4), pp. 499-531.
June 8 th 6-8 p.m. (session 4)	- working group assignments and preparations	
June 9 th 10 a.m.-12 p.m. (session 5)	-the agency and power of multinational corporations	Wettstein, Florian (2009): Multinational corporations and global justice. The human rights obligations of a quasi-governmental institution. Stanford: Stanford Business Books, chapter 7: pp. 213-257
June 9 th 12-2 p.m. (session 6)	-the UN Guiding Principles on Business and Human Rights	UN (2011): Guiding Principles on Business and Human Rights. Implementing the United Nations 'Protect, Respect and Remedy' framework. New York, Geneva: United Nations. Deva, Surya (2013): Treating human rights lightly. A critique of the consensus rhetoric and the language employed by the Guiding Principles. In: Deva, Surya/Bilchitz, David (eds.): Human rights obligations of business: Beyond the corporate responsibility to respect? Cambridge: Cambridge University Press, pp. 78-103.

<p>June 9th 2-6 p.m. (sessions 7-8)</p>	<p>-corporate social responsibility versus corporate human rights duties</p>	<p>Hsieh, Nien-hê (2015): Should business have human rights obligations? In: <i>Journal of Human Rights</i>, 14 (2), pp. 218-236.</p> <p>Scheper, Christian (2015): From naming and shaming to knowing and showing. Human rights and the power of corporate practice. In: <i>The International Journal of Human Rights</i>, 19 (6), pp. 1-20.</p> <p>Kurucz, Elizabeth C./Colbert, Barry A./Wheeler, David (2008): The business case for corporate social responsibility. In: Crane, Andrew (ed.): <i>The Oxford handbook of corporate social responsibility</i>. Oxford: Oxford University Press, pp. 83-112.</p> <p>Ramasastri, Anita (2015): Corporate social responsibility versus business and human rights. Bridging the gap between responsibility and accountability. In: <i>Journal of Human Rights</i>, 14 (2), pp. 237-259.</p>
<p>June 10th 10 a.m.-2 p.m. (sessions 9-10)</p>	<p>-work in working groups -preparation of fact sheets</p>	
<p>June 12th – 16th</p>	<p>-full-time study trip to Geneva (further information will be provided in the Study Trip Reader)</p>	
<p>July 6th 12-8 p.m. (sessions 11-14)</p>	<p>-working group presentations of case studies, including class activities -concluding discussion -feedback</p>	