

Syllabus

Law B508 (current as of January 19)

Business, Social Responsibility and Human Rights

Thursdays 5:30 to 7:20 pm via Zoom

Professor Anita Ramasastry

Email: arama@uw.edu

Office hours: immediately after class or by appointment

I. Course Overview

Slavery is illegal throughout the world, yet many people are still trapped in one of history's oldest social institutions. From nail salons to sailors on Thai fishing boats, to children picking cocoa, many people are forced into slavery. Slavery is a hugely profitable business, one estimated to be worth \$150 billion a year. Global supply chains, the current migrant and refugee crisis, climate change, and rising global inequality are all reasons for the existence of modern slavery and human trafficking.

In this course we will examine the scope of the problem, understand some of the context for why slavery and human trafficking persist, and focus on how governments, employers, workers and civil society are crucial to ending modern slavery, forced labor and debt bondage in global supply chains. We will examine the root causes and trends that have caused the persistence of human trafficking and modern slavery, from child labor to labor trafficking and debt bondage. We will examine and evaluate different policy and legislative solutions at the international, national and local levels designed to address the phenomenon with an explicit focus on the role of corporations and other stakeholders in changing corporate practices. We will hear from leaders in this global challenge and discuss what roles different stakeholders can and should play in addressing this problem, locally and globally.

Learning Outcomes and Objectives

Students will

- Gain a better understanding of the concepts of modern slavery, forced labor and human trafficking as both a global and domestic challenge.
- Identify the underlying causes that allow for these practices to continue to exist in modern supply chains
- Identify different policy tools available to try and prevent forced labor and trafficking.
- Evaluate the strengths and weaknesses of different approaches.
- Understand the role of different stakeholders – from business to government and nongovernmental organizations and consumers to ensuring that business actors engage actively to prevent forced labor, debt bondage and trafficking in their business operations

Distance Learning

This seminar is offered as a live “synchronous” distance learning course, with some asynchronous video sessions. During the course, students will be required to attend regular class meetings via Zoom sessions; participate in discussions via Zoom; submit responses to class assignments via CANVAS; complete the short assignments, prepare for and complete a legislative advocacy assignment and take a final exam. All Zoom sessions will be recorded and posted to the course CANVAS page unless a particular guest lecturer does not authorize the recording. Recordings will not be shared beyond the class instructors and participants.

Method of Assessment

Student class participation is worth 10 percent % of the final grade. This includes participation in class discussions and presentations . Each student will be assigned one class day to either (a) be one of the active speakers to ask questions of our guest speakers or (b) to come up with some discussion questions or suggested activity for breakout groups during class with no guest speaker. Prof. Ramasastry will assign each student to on class day and send you further instructions.

Completion of corporate compliance policy report is worth 40% of the final grade.. Each of you will choose a particular corporation and will be asked to prepare a short policy report which assesses the risks of trafficking and forced labor in their supply chains, evaluates their current response and policy commitments, and also outlines other stakeholders and partners with whom such companies might work. Students will have a template and set of sources from which to find information to help guide their research

Students will take an in class final exam worth 50% of the final grade. The exam will consist of combination of short answer questions and one longer essay. The exam will be open book/open note and last for 2.5 hours.

Religious Accommodations

Washington state law requires that UW develop a policy for accommodation of student absences or significant hardship due to reasons of faith or conscience, or for organized religious activities. The UW’s policy, including more information about how to request an accommodation, is available at [Religious Accommodations Policy](https://registrar.washington.edu/staffandfaculty/religious-accommodations-policy/) (<https://registrar.washington.edu/staffandfaculty/religious-accommodations-policy/>) (Links to an external site.). Accommodations must be requested within the first two weeks of this course using the [Religious Accommodations Request form](https://registrar.washington.edu/students/religious-accommodations-request/) (<https://registrar.washington.edu/students/religious-accommodations-request/>) (Links to an external site.)

Access and Accommodations

Your experience in this class is important to us. If you have already established accommodations with Disability Resources for Students (DRS), please communicate your approved accommodations to me at your earliest convenience so we can discuss your needs.

If you have not yet established services through DRS, but have a temporary health condition or permanent disability that requires accommodations (conditions include but not limited to; mental health, attention-related, learning, vision, hearing, physical or health impacts), you are welcome to contact DRS at 011 Mary Gates Hall or 206-543-8924 or uwdrs@uw.edu or disability.uw.edu. The DRS staff offer resources and coordinate reasonable accommodations for students with disabilities and/or temporary health conditions. Reasonable accommodations are established through an interactive process between you, your instructor(s) and DRS. It is the policy and practice of the University of Washington to create inclusive and accessible learning environments consistent with federal and state law

II. Class Readings

Class readings will be available via links on the syllabus or posted on CANVAS. There are no textbooks that you have to purchase. Instead, materials are available in electronic format via UW libraries or through accessing a web page on the Internet.

The one book that we will read more from

Siddharth Kara, Modern Slavery A Global Perspective. (Columbia University Press 2017)_

You can access this book at no cost via UW libraries (you will be asked to log on with your UW NetID and password).

<https://alliance-primo.hosted.exlibrisgroup.com/permalink/f/kjtuig/CP71266919860001451>

If you wish to acquire your own copy here are the details:

<https://www.amazon.com/Modern-Slavery-Perspective-Siddharth-Kara/dp/0231158467>

Class One: Defining Modern Slavery, Forced Labor and Human Trafficking (January 7)

Readings

Kara, Chapter 1 and Chapter 6: Debt Bondage - pages 176-212

Please also watch the brief documentary video here (which has closed captions)

<https://www.youtube.com/watch?v=EsaeYwD4hSA>

Class Two: Case Study- In the Headlines – the Top Glove Situation in Malaysia (January 14)

Guest Speaker: Andy Hall, Human Rights Defender and Migrant Worker specialist

Bio: <https://andyjhall.wordpress.com/>

Readings:

Time line of Top Glove Story , Business and Human Rights Resource Center
<https://www.business-humanrights.org/en/latest-news/malaysia-top-glove-denies-migrant-workers-producing-ppe-are-exposed-to-abusive-labour-practices-covid-19-risk-incl-responses-from-auditing-firms/>

Blackrock Investment Steering Group information sheet on Top Glove Corporation - posted on CANVAS

Peter Zsombor After US Sanctions, Malaysia Migrant Workers Get Millions in Restitution from Glove Makers, Voice of American News, November 2021

<https://www.voanews.com/east-asia-pacific/after-us-sanctions-malaysia-migrant-workers-get-millions-restitution-glove-makers>

Class Three: Debt bondage and Forced labor in the United States (January 21)

Readings:

Watch *Trafficked in America* – PBS Frontline
2018 <https://www.pbs.org/wgbh/frontline/film/trafficked-in-america/>

Story about Global Horizons trafficking case which involves farming in Washington

<https://www.eeoc.gov/newsroom/eeoc-files-its-largest-farm-worker-human-trafficking-suit-against-global-horizons-farms>

Kara, Chapter 3, Labor Trafficking

Class Four: Role of Multistakeholder Coalitions: The Cotton Campaign (January 28)

Example of Uzbek Cotton and its relationship to current debates over cotton from Xinxiang

Further info: [The Cotton Campaign](#)

NY Times article “[Coalition brings Pressure to End Uyghur Forced Labor](#)” (July 2020)

ICCR Press Release, [Human Rights Groups Call on U.S. for Regional Ban on Imports from China Made with Uyghur Forced Labor](#) (August 2020)

Guest Speakers

[Bennett Freeman, former Deputy Assistant Secretary of State, US State Department, Co-Founder, the Cotton Campaign](#)

[Patricia Juriewicz, Founder and Vice President, Responsible Sourcing Network](#)

Jeffrey Vogt, Rule of Law Director, Solidarity Center

Class Five: Role of Litigation (February 4)

Readings:

Doe v. Apple Complaint https://www.classaction.org/media/doe-et-al-v-apple-inc-et-al_1.pdf

Jones Day Newsletter Summer 2020 – Labor Trafficking in Corporate Supply Chains – posted on CANVAS

Guest Speaker: Terry Collingsworth, International Rights Advocates

Class Six: Responsible Recruitment – Corporate Initiatives to End Debt Bondage in Modern Supply Chains (February 11)

Readings:

Responsible Labor Initiative website – skim <http://www.responsiblebusiness.org/initiatives/rli/>

Institute for Human Rights and Business, Responsible Recruitment, Remediating Worker-Paid Recruitment Fees November 2017,

[https://www.ihrb.org/uploads/reports/IHRB%2C Remediating Worker-Paid Recruitment Fees%2C Nov. 2017.pdf](https://www.ihrb.org/uploads/reports/IHRB%2C%20Remediating%20Worker-Paid%20Recruitment%20Fees%20Nov.%202017.pdf)

Class Seven: The Role of the Financial Sector in Preventing Modern Slavery (February 18)

Read: Executive Summary to Liechtenstein Initiative’s Financial Sector Commission on Modern Slavery and Human Trafficking SEPTEMBER 2019 (FAST initiative)

<https://www.fastinitiative.org/wp-content/uploads/BlueprintExecutive-DIGITAL-1.pdf>

Guest speaker: Professor James Cockayne, University of Nottingham and Chief of Secretariat,, FAST Initiative

Class Eight: Role of Legislation (February 25)

Justine Nolan and Nana Frishling **Australia’s Modern Slavery Act: Towards Meaningful**

Compliance, Company and Securities Law Journal, 37(2), 104 (2019) UNSW Law Research

Paper No. 19-56 https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3434196

Eversheds article, **Modern Slavery: The Advent of Legislation Affecting Corporations,**
December 2019

<https://www.lexology.com/library/detail.aspx?g=164dd149-498b-4ff8-a6c7-bc9b3af9cd6b>
Commonwealth of Australia Modern Slavery Act o 2018: Guidance for Reporting Entities
<https://www.homeaffairs.gov.au/criminal-justice/files/modern-slavery-reporting-entities.pdf>

Guest: **Professor Justine Nolan**, University of New South Wales

Commented [MOU1]: <https://research.unsw.edu.au/people/professor-justine-nolan>

Class Nine: Contractual Clauses and Supply Chains: The Role of Private Contract (March 4)

John Sherman, **The Contractual Balance Between ‘Can I?’ and ‘Should I?’ Mapping the
ABA’s Model Supply Chain Contract Clauses to the UN Guiding Principles on Business
and Human Rights**

*Corporate Social Responsibility Initiative, Harvard Kennedy School, April 2020, Working Paper
No. 73* https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3574811

Human Rights Protections in International Supply Chains—Protecting Workers and Managing
Company Risk 2018 Report and Model Contract Clauses from the Working Group to Draft
Human Rights Protections in International Supply Contracts, ABA Section of Business Law
David V. Snyder (chair) and Susan A. Maslow (vice chair)

Guest speakers

Professor David Snyder, Washington College of Law, American University

John Sherman, General Counsel, SHIFT