

International Law and Business (BLAW 476) Spring 2009

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Primary Materials: International Business Law: A Transactional Approach (2ed), by DiMatteo and Dhooge. ("Text")

Additional Materials: Supplemental Cases and Materials ("SC") must be accessed at the course website in Angel or linked from this syllabus. This material is REQUIRED reading for the class.

Course Description: This course is about global corporate citizenship. It is very current and focuses heavily on responsible and sustainable international business and strategy. Course work includes a take home midterm and final, and a group consulting project on business development impacting Indigenous Peoples and the environment. Specific areas covered include:

- Introduction to treaty law, foreign policy and international organizations
- International arbitration and other forms of commercial dispute resolution;
- International ethics, the Foreign Corrupt Practices Act and the OECD Convention on Combating Bribery
- Multinational Corporate responsibility for human rights in developing countries
- Strategies for sustainable global business development
- Foreign corporation law, joint venture law and franchising
- Trade regulation under the WTO and NAFTA
- International contracting and sales law
- Intellectual property protection
- Employment and labor law

This course is engaging, rigorous, enlightening and fun. We will use a variety of learning tools in our study, including case studies, legal cases, articles, music, documentary film and class team work. Students will develop a solid understanding of the relationship between law, international business and responsible leadership. They will also learn strategic business tools while building personal skills to help them become leaders for a just and humane world.

Additional Resources: The following websites may be useful:

- ❖ Caux Round Table: <http://www.cauxroundtable.org/>
- ❖ Business for Social Responsibility: <http://bsr.org>
- ❖ Corporate Social Responsibility News: <http://www.csrwire.com/>

- ❖ Network for Business Innovation and Sustainability: <http://www.nbis.org/>
- ❖ Seattle University Center for Corporations, Law and Society: <http://www.law.seattleu.edu/ccls>
- ❖ Business and Human Rights Resource Center: <http://www.business-humanrights.org/Home>
- ❖ Human Rights Translated: A Business Reference Guide http://www.unglobalcompact.org/docs/news_events/8.1/human_rights_translated.pdf
- ❖ Social Venture Partners www.seattlesvp.org

Class Preparation: A significant portion of the material for this course will be covered during class time. To do well in the course you will have to come to class prepared (i.e., a minimum of having completed the assignment) and be an "active listener" (i.e., pick out key points and make connections between them). Pay attention to the topic headings that are used in the syllabus and lectures; they indicate main themes. I encourage you to study together in pairs or teams both before regular class meetings and quizzes. There is to be no recording of lectures. If you miss a class, obtain notes and details from your fellow classmates

Course Policies: Seattle University holds its students to very high standards of behavior. Both the "Code of Student Conduct" and the "Academic Honesty Code" will be strictly enforced. <http://www.seattleu.edu/registrar/page.aspx?ID=87>

Disabilities: If you have, or think you may have, a disability (including an "invisible disability" such as a learning disability, a chronic health problem, or mental health condition) that interferes with your performance as a student in this class, you are encouraged to arrange support services and/or accommodations through Disabilities Services staff in the Learning Center, Loyola 100, (206) 296-5740. Disability-based adjustments to course expectations can be arranged only through this process.

Course Requirements: Your performance in this course will be evaluated on the basis of the following. **Note that you must complete all course requirements as detailed in this syllabus and in any addendums to the syllabus. Failure to complete all requirements will result in an F grade for the course.**

Midterm:	30 points
Final:	30 points
Team Research Project:	25 points
<u>Participation:</u>	<u>15 points</u>
Total =	100

The midterm and final are take home tests. The due dates are noted on the course outline below. The Team Research Project will be posted in week two of class. Teams will be randomly assigned. **The grade for participation will be based on your in-class contribution and general course involvement and attitude. If you simply attend the class and do not participate you should expect 0 points for this grade component.** That being said, I do not espouse the philosophy that

talking necessarily equals participation. Your participation should be "thoughtful" participation. Class time is a collective resource. Class members who contribute to this resource are those who are well prepared and demonstrate a desire to understand the material, concepts and the contributions and ideas of their fellow classmates.

Grading Policy: A straight grading scale will be used to determine final grades (A = 95-100, A- = 90-94, B+ = 87-89, B = 83-86, B- = 80-82, C+ = 79-77, etc.)

Class Schedule: This is subject to change based on class progress.

Segment One: Introductions and Overview of International Law and Global Business Development; “Creative Capitalism”
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Class One: (March 31) *Introductions*. No assignment.

Class Two: (April 2) Text Chapter One; Klaus Schwab, “Global Corporate Citizenship” at http://www.weforum.org/pdf/Schwab_Article.pdf (SC).

Segment Two: Managing Risk and Complying with Law Ethically and Strategically
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Class Three: (April 7) Text Chapter Two (focus pages 49-end). S. Pillay, “And Justice for All” (SC); J. Ruggie, “Business and Human Rights: The Evolving International Agenda” (SC); UN Global Compact (SC); Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights, U.N. Doc. E/CN.4/Sub.2/2003/12/Rev.2 (2003);

Class Four: (April 9) *Auginda v. Texaco*, <http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=2nd&navby=case&no=017756>; Chevron Texaco update, <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2008/12/21/MN1I14P3G9.DTL>; Freeport McMoRan “Below A Mountain of Wealth, A River of Waste”, New York Times, December 27, 2005. http://www.nytimes.com/2005/12/27/international/asia/27gold.html?_r=1&pagewanted=print; The Foreign Corrupt Practices Act: Antibribery Provisions, at <http://www.usdoj.gov/criminal/fraud/fcpa.html>; Film – “Our Land, Our Life: The Struggle for Western Shoshone Land Rights.”

Class Five: (April 14) The Caux Round Table Principles for Business at <http://www.cauxroundtable.org/documents/Principles%20for%20Business.PDF>; in-class team work (Sword Technology)

Segment Three: Regulation of Business, Corporate Governance, Corporate Social Responsibility and Social Entrepreneurship

Class Six: (April 16) J. Nelson, “Leveraging the Developmental Impact of Business in the Fight Against Global Poverty” (SC); Pless and Maak, “Responsible Leaders as Agents of World Benefit: Learning from PwC’s ‘Project Ulysses’” (SC);

Class Seven: (April 21) Starbucks and Conservation International (SC).

Class Eight: (April 23) Movie – “Black Gold.”

Class Nine: (April 28) Research Day. Each team will be assigned one of the following multinational companies: Merck, Nestle, Walmart, Coca Cola, or Shell. Teams will review their assigned company’s corporate social responsibility and/or sustainability report online and be prepared to discuss and share their findings in class ten. Professor Lasprogata will provide more guidance in the weeks leading up to this assignment.

Class Ten: (April 30) Sharing Day. Distribution of Take Home Midterm.

Class Eleven: (May 5) Text Chapter 3. Midterm due in class.

Class Twelve: (May 7) J. Kerr, “Sustainability Meets Profitability” (SC).

Segment Four: International Transactional Law

Class Thirteen: (May 12) Text Chapters 4 and 7.

Class Fourteen: (May 14) Text Chapter 14 (pages 479-505)

Segment Five: International Labor and Employment

Class Fifteen: (May 19) Text Chapter 12 (pages 407-414); G. Lasprogata et al, Regulation of Electronic Employee Monitoring: Identifying Fundamental Principles of Employee Privacy through a Comparative Study of Data Privacy Legislation in the European Union, United States and Canada (SC).

Class Sixteen: (May 21) Film – “Stolen Childhoods”

Segment Six: International Trade and Intellectual Property

Class Seventeen: (May 26) Text Chapter 5 and 13 (focus TRIPS)

Class Eighteen: (May 28) Film – “Robbing Pedro to Pay Paul.”

Class Nineteen: (June 2) S. Safrin, “Hyperownership in a Time of Biotechnological Promise: The International Conflict to Control The Building Blocks of Life” (SC).

Class Twenty: (June 4) Team Reports for Group Projects. Distribution of Take Home Final Exam.