SUMMER 2016 MINI-SESSION – COURSE SYLLABUS
GLOBAL ENERGY, DEVELOPMENT, AND SUSTAINABILITY

ILAS 6397 (3 units): Promoting Sustainability I: Legal Frameworks and Value Chain Strategies for International Oil and Gas Projects
Short Title: "ILAS 6397 - Prmtng Sustn I: Int’l Oil/Gas
(Please Note: Full course title not completely updated)

Dates and Instructors:
May 20/21 - Instructors: Golden-Timsur, Woldu
May 27/28 – Instructor: Weaver

Promoting Sustainability I: SECTION 1: (1st weekend – May 20/21) Promoting Sustainability Community-Centered Approaches for the International Oil & Gas Industry

Instructors for Summer 2016:
Dr. Dawit Okubatsion Woldu & Dr. Rebecca Golden Timsar

Course Description:
Through an interdisciplinary, social science approach, this course will introduce theoretical and empirical literature to provide students with skills to critically identify and analyze key challenges and opportunities facing oil and natural gas extraction’s impact on social factors in oil producing communities in the developing world. We will locate key junctures where intervention decisions could mitigate the negative impacts of extraction on local, regional, and national communities. Specifically, we will investigate concepts such as ethnicity, power, health, religion, social and environmental justice, and corporate social responsibility in order to enhance understandings about the importance of breaking cycles of extractive social injustice, often leading to violence. These contravening cycles often occur in minority communities of developing countries, where local social, political, and cultural dynamics are misunderstood or disregarded. Using various examples from countries around the world, students will deconstruct major social factors facing stakeholders. Particular attention will be given to civil society case studies in African countries, due to the historical prevalence petrol violence and due to the increasing numbers of emergent petroleum developments.
The course will be elaborate three themes:
• Introduction of Theoretical Concepts: Social & Environmental Justice, Ethnicity, Gender, and Power
• From Theory to Practice: Extractive Injustices, Petrol Violence, and Humanitarian Consequences
• Steps Towards Improving Transparency: Developing Social Frameworks

The course will explore in detail different questions and issues with regards to the stakeholders’ roles in the energy development and its relation to social factors and the
environment. Specifically the course will address questions such as what do we mean by community, what comprises civil society, how to understand basic cultural forces in communities, how to identify stakeholder priorities and power, and what are some mechanisms required for a successful energy sector partnership?

This course provides professionals, policy makers, and community stakeholders with a preliminary understanding of social challenges and opportunities facing energy development. As such, students will learn methodologies to develop social frameworks to address stakeholder priorities and social dynamics using best policies and practices. These skills have potential to enlarge participation, improve transparency, and narrow knowledge gaps between energy companies, local and state governments, and civil society.

**Course Objectives:**
1. Understand there is scientific theory regarding the intricate relationship between people, natural resources, and the environment.
2. Grasp the complexity and importance of stakeholders in any extractive context.
3. Equip students with necessary social science concepts such as corporate responsibility and environmental justice, power, gender, and ethnicity.
4. Based on material taught in class, identify the social, cultural, and environmental consequences of unsustainable oil and natural gas extraction on local communities.
5. Deconstruct extractive industry interventions and identify the critical factors leading to humanitarian crises in oil and natural resource rich countries.
6. Elaborate a preliminary framework for sustainable community-centered approaches in oil and natural gas extraction in new energy development settings.

**Course Requirements:**
This is a graduate seminar class on stakeholder issues in international oil and gas projects. Students are required to attend lectures, complete readings, view films, and actively participate in class and online discussions with peers and instructors. The course will be taught in three sections over two 8-hour days comprised of lectures, guest speakers, case studies, films, group breakout sessions, role play, and class discussions. Participation is 30% of your grade.

This course utilizes university technology through an additional 5-hour online requirement comprised of film viewing, discussion groups, short assignments, and a final exam comprised of short answers and essay questions.

As this is a graduate seminar, readings are critical to understanding the broad themes taught. These readings will be discussed in class and should be referenced in exam essays. More importantly, students should digest the course materials to identify global oil and natural gas issues affecting local communities around the world.

**Grading:**
- Course participation 30%
- Online Assignments 30% - 3 reaction/reflection papers about two online films (each 10%) to watch before class and an analysis of an international energy company’s
community programs (10%) to be completed before class begins and uploaded onto Blackboard.

Final Take-Home Uploaded Exam 30%

**Course participation:** This is a graduate seminar course and each student is expected to come to class prepared. This means you are expected to read all readings materials and come to class ready for discussion. We will be only providing an overview of topics as the rest of the class will be open for discussion. As participation is 30% of your grade, we expect every student to actively engage in class debates and discussions. If you are not participating in class discussion and debates, you will lose 100% of the class participation grade.

Because each of the two days of class time are scheduled for 8 hours, short breaks will be offered throughout the day, including a lunch break. Bring any snacks/drinks you may need for the day. Time will be given for lunch on campus if desired.

**Online Assignments:**

Students are expected to upload a reaction/reflection paper about two online films that are listed below to supplement course readings. This is not a summary of the films/videos but your own opinions on the main issues discussed in these media. You will need to explain why you agree or disagree with some of the issues presented. You will use the ideas and opinions expressed in this reaction/reflection paper during class discussion. You must write two to three paragraphs for each film.

In addition, we will be comparing and evaluating community engagement of one energy or energy-related companies operating in international arenas. This is a virtual evaluation based on your choice of organization. These evaluations are to draw from website information and other publications that are based on companies’ online mission statements, overall business models, the degrees of community engagement in energy extraction, and decision-making. For this part of the assignment each student must upload a reaction or opinion paper AND present their assessment of the organization in class. Student presenters will lead the discussion session on assigned readings on a rotational basis. The course will start with a lecture by the professors or guest speakers and will be followed by student-led group discussion. Films (different from those assigned online) will be shown and general discussion on specific thematic questions will follow. These discussions will include topics drawn from online film assignments.

Student group discussion will cover current and past events as linked with the course reading materials. The group will do outside sources to prepare their presentation/discussion.

**Final Exams:**

There is only one take home final exam for this course. You will get your questions the last day of class and you will have 24 hours to answer the questions and submit online (blackboard). You will get general and specific information about the exam on the last day of class.

**Course Readings:** (see attachment at end)

**Daily Schedules:**

**Class is from 8 am to 5 pm on Friday and Saturday**

**Day 1 - Friday**

Class and lecturer introductions – 15 minutes
Part 1: Theories & Concepts (8 am to 12 pm)
Introduction of theoretical concepts – 2.5 hours

- Scientific theory regarding the intricate relationship between people, natural resources, and the environment.
- Stakeholders – community, civil society, cultural forces
- Social science concepts such as corporate responsibility and environmental justice, power, gender, ethnicity, health, religion

Break – 10 minutes

Break out small groups with discussion questions – 20 minutes

Group discussion session on Theories & Concepts – 30 minutes

Lunch Break – 1 hour 1 pm to 2 pm

Part 2: Consequences (1 pm to 3 pm)

Introduction to social, cultural, and environmental consequences of unsustainable oil and natural gas extraction on local communities – 1 hour

Online Film Assignment #1 - Small Group Discussion – 30 minutes

- Comparison and contrast of online film reactions using social and environmental concepts learned in class and from the assigned readings
- Film: Split Estate 1 hour: We will watch and discuss a documentary film in which many of the above concepts, issues, and dynamics are explained. The film explores the relationship between oil companies and local communities in the American west.

- Small Group Presentations – 30 minutes

Break – 10 minutes

Part 3: Tying it all Together: Nigeria Case Study (3 pm to 5 pm)

Introduction of Case Study on petrol violence and humanitarian consequences

Film: Sweet Crude – 1 hr

Group Discussion - Tying together theories, consequences, and perspectives

Day 2 - Saturday

Part 4: Deconstructing Interventions & Building Community Engagement Analytical Skills (8 am to 9:30 am)

Social and cultural organization of society and its ties to natural resource

Understanding community diversity and local politics

Analysis of Energy Company Community Engagement Websites Introduction - 30 minutes
Individual Presentation of community engagement virtual evaluation to the group (5-10 minutes/student)

Thinking Critically about Narratives & Realities - Group discussion – 30 minutes

Break – 10 minutes

Part 5: Steps Towards Improving Transparency (9:40 am to 10:40 am)

Online Film Assignment #2 “The Great Invisible” on the Deepwater Horizon in the Gulf of Mexico - Small Group Discussion – 30 minutes

- Comparison and contrast of online film reaction along with company website assignments using transparency skills learned in class and from the assigned readings

Small Group Presentations – 30 minutes

Part 6: Towards a Framework for Community-Centered Approaches (10:45 – 12 pm)

Introduction of Concepts – 1 hour 15 minutes

Lunch Break – 1 hour 12 pm to 1 pm

Part 6 continued: Towards a Framework for Community-Centered Approaches (1 pm - 2 pm)

Small group discussions of sustainable development methodology readings – 30 minutes

Small group presentations on readings – 30 minutes

Part 7: Stakeholder Role Play – Identify Challenges & Opportunities for Successful Partnerships (2 pm - 3:30 pm)

Corporate models of community partnership

Local community concepts of partnership with corporations and governments

Governments, companies, and community partnerships

Integration of corporate and local community priorities for sustainable partnership

Stakeholder Role Play by Students – 1 hour

Group Analysis of Role Play 30 minutes

- How to Mitigate Negative Effects
- How to Identity Key Decision Points

Break – 15 minutes

Part 8: Summary of Best Policies & Practices – 1 hour (3:45 pm to 4:45 pm)

- Wrap Up & final questions
- Assignment of final exam, Course Evaluation
A. Course Abstract:

Many sources of law act on Multinational Corporations (MNCs) and particularly on International Oil Companies (IOCs) as they pursue operations abroad, notably international law, U.S. law that has extraterritorial effect, host government laws, and obligations in petroleum development contracts. In the past two decades, all of these sources of law have significantly increased the formal and informal regulation of IOC operations by courts, arbitrators, industry trade groups through the development of Codes of Conduct, international organizations (such as the United Nations and the World Bank), NGOs, academic centers and the media. Many of these institutions have proposed legal frameworks to mitigate the effects of certain impacts identified with the "resource curse," such as human rights violations, revenue transparency, local community benefit agreements, often working with IOCs and industry groups to identify "best practices." This GEDS unit will survey these sources of law, the IOCs' responses to the pressures to improve the socio-economic and environmental effects of their operations, and how some of the legal principles, particularly in human rights, are being operationalized through industry-wide Codes of Conduct, such as those developed under the UN Guiding Principles on Business and Human Rights.

This GEDS unit is part of the 9 credit-hour "Understanding the Resource Curse" certificate program, open to graduate students at UHLC and also to the business and legal communities. It is helpful, but not required, that participants in this course have successfully completed the Core Foundation course on Understanding the Natural Resource Curse (offered in April 2016) and are able to explain the basic tenets of Resource Curse Theory and its manifestations in different cultures and contexts. However, this Core course is not required for the "Legal Frameworks" course, which will review these tenets at the start of the course.

Each module of the GEDS certificate is a 1 1/2 credit-hour course. Each is taught over the course of two days of in-class hours, on Friday and Saturday, with an additional 5 hours of online instruction (including the exam).

Here is the series of GEDS courses taught in the summer 2016:

GEDS Courses For Summer 2016:
**Summer Mini-session I:**
ILAS 6397 (3 units): Promoting Sustainability I: Legal Frameworks. Short Title: "ILAS
6397 - Prmtng Sustn I: Int’l Oil/Gas

May 27/28 – Instructor: Professor Weaver. Legal Frameworks for Sustainable Petroleum Development.

Summer Session II
ILAS 6397 (3 units): Promoting Sustainability II: Workforce and Local Community Issues in International Oil and Gas Projects. Short Title: ILAS 6397 - Prmtng Sustn II: Int’l Oil/Gas

June 10/11 - Instructor: Christianson
June 17/18 – Instructor: Spitzmueller

B. Course Objectives:

At the conclusion of the Legal Frameworks unit, participants will be assessed on their ability to:

1. Identify the sources of law that impact investors in petroleum operations abroad. The sources include both "hard" law (mandatory obligations) and "soft" law (expectations of society regarding a company's social license to operate as defined in key documents, such as the UN Guiding Principles on Business and Human Rights).
2. Identify the key players that use these sources of law to work with and/or pressure IOCs to improve their performance in social, environmental and human rights arenas.
3. Identify the key industry groups that work with other stakeholders to develop new legal frameworks and codes of conduct that seek to mitigate the negative effects of petroleum operations.
4. Be able to locate key sources of data and reports about the legal frameworks that have developed to address industry impacts.
5. Be able to discuss, question, and engage in dialogue with guest speakers representing industry professionals and NGOs about their experiences (presented using case studies of their practices).
6. Be able to assess the quality of IOCs' sustainable development reports to shareholders and other stakeholders.
7. Be able to critically and constructively assess the effectiveness of proposals made by different players and industry groups.

C. Course Outline/Overview

1. The Primary Sources of law:
   a. Host government laws. In newly developing countries, environmental and labor laws are often weak.
b. Petroleum contract provisions. These typically require "good, generally accepted international petroleum practices" as the standard of conduct of operators. What does this mean? Where do you find these generally accepted industry practices? How are they enforced?

c. International treaties signed by states that become part of national law.

d. Customary international law--The nightmare to avoid. Litigation in U.S. (or other) courts for violations of international law:

- Excerpts of cases brought in US courts under the Alien Tort Claims Act, illustrating fact scenarios confronting oil companies when working in countries with dictators and civil wars.
- The Ecuador/Chevron litigation. Reading: Chevron's SEC reports.
- YouTube video on Amazon Crude (with targeted set of questions to answer after viewing).

2. Responses to this litigation/media pressures.


b. UN General Principles (GPs) on Business and Human Rights. This is a major part of this GEDS unit, as many countries and companies have endorsed these GPs. The US State Department is developing the US National Action Plan to respond to these UN Principles and to the 2011 OECD Guidelines for Multinational Enterprises. This subtopic includes discussion of what is considered to constitute the core set of human rights.

c. Company sustainability reports, documenting which international conventions they are willing to be bound by in their policies and principles.

d. Codes of conduct as sources of "generally accepted petroleum practices." The codes become obligations under the contract terms of the host government contract.

e. Emerging trends: Mexico and Ecuador: "best," rather than merely "good" environmental practices are required in the laws.

3. Special issues

a. Aboriginal and Native Rights under host government laws.

b. The UN Declaration on the Rights of Indigenous Peoples.

c. Free, Prior and Informed Consent (FPIC) of local communities.

4. Best practices:

a. Shell in Camisea. Show 20-minute video (produced by Shell) with targeted questions for class discussion. Compare to video by Sierra Club of Shell and Ken SaraWiwa.

b. Guest speakers on good practices. The ideal speakers would share best practices in, e.g., negotiating community benefit agreements and creating grievance mechanisms to remedy and resolve any alleged violations of UN GPs by investors. Note: OECD Guidelines on Multinational Companies require that every OECD country create a National Contact Point for grievances.
Case studies of what has worked (and not worked) at local, regional or national levels of government to bring benefits to the host country and mitigate possible effects of the resource curse.

In sum, for every resource curse malady, there is, on paper at least, a solution (see chapters from *Escaping the Resource Curse* book).
Appendix

A. List of readings:

1. UN Guiding Principles on Business and Human Rights (35 pp.). This document contains the 31 Guiding Principles (GPs) with brief commentary.
2. The Voluntary Code on the Use of Security Forces.
3. Edited versions of cases in US courts brought against IOCs for complicity with human rights abuses in Myanmar, Aceh Indonesia, Sudan, etc.
4. The UN Declaration on the Rights of Indigenous Peoples (which ties into FPIC).
5. Short memos and slides by Professor Weaver.

B. Videos for Online Viewing, with targeted questions for class discussion:

1. Shell in Camisea (20 mins).
2. Extreme Oil: Chevron in Ecuador and Chevron in Angola (about an hour). 
3. IPIECA webinar on Grievance Mechanisms.
4. Amazon Crude (about 20 minutes from YouTube).

C. Assessment:

- Class participation 25%
- Short memos based on in-class individual or small group assignments 25%
- Exam based on assessing a corporate sustainability report 50%

D. Guest speakers:

TBA