

SYLLABUS

SLAVE LABOR AND HUMAN TRAFFICKING CLINIC

2nd SEMESTER/2015

Workload: 30 hours

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1- CLASS SECTIONS:

- The class will meet on Thursday's from 11:10 am to 12:50 pm in Room 801. Laptops and tablets are permitted in class.
- The attendance of students will be kept by roll call, sign in sheet and/or by completion of class assignments.
- Arriving more than ten minutes after the start of class is strongly discouraged.

2- COURSE GOALS:

- To present the legal framework of slave labor and human trafficking in domestic and international contexts.
- To introduce topics of Criminal Law, Criminal Procedure and Labor Law as they apply to slavery and human trafficking in order to demonstrate that they are integral to eradicating the problem.
- To develop the abilities of students to analyze criminal cases, hypothetical or real, to find the most appropriate legal remedy.
- To develop students' oral and written communication skills.
- To develop the critical thinking of students to go beyond mere dogmatic analysis of crimes.
- To approximate the legal education to legal practice.

3- GRADING:

- There will be five tests of 10 points each, a midterm worth 20 points and a final exam worth 30 points, according to the calendar below.
- There will be a make-up test scheduled only for the final, should anyone miss it, as prescribed in art. 10 of resolution COLGRAD n. 2/99.
- Final test will be reviewed in the classroom, to clarify answers and evaluation criteria.

4- PREPARATION EXPECTATIONS:

- Moodle software or UFMG Virtual is absolutely vital to the monitoring of the course.
- In virtually every class, there will be materials available in Moodle, as well as suggested bibliography, which will be worked on in class. It is requested that students read the material before class.
- Rules are not immutable, but, to be rules, they need to be observed.

5- BIBLIOGRAPHY:

- ALLAIN, Jean. 2013. *Slavery in international law: of human exploitation and trafficking*. Leiden: Martinus Nijhoff Publishers.
- ALLAIN, Jean. BALES, Kevin. *Slavery and its definition*. Global Dialogue, n. 14, 2012, p. 1-15.
- ANDRADE, Denise Lapolla de Paula Aguiar. A servidão por dívidas e o princípio da dignidade humana. Apontamentos sobre trabalho escravo, forçado e degradante. In: *Revista Synthesis direito do trabalho material e processual*, São Paulo, n. 42, 2006.
- ARAÚJO JÚNIOR, Francisco Milton. Dano moral decorrente do trabalho em condição análoga à de escravo: âmbito individual e coletivo. In: *Decisório Trabalhista*, Curitiba, ano XI, n. 148, 2006.
- AUDI, Patrícia. A escravidão não abolida. VELLOSO, Gabriel. FAVA, Marcos Neves (Org). *Trabalho escravo contemporâneo – o desafio de superar a negação*. São Paulo: LTr, 2006: pp. 70-84.
- BELISARIO, Luiz Guilherme. *A redução de trabalhadores rurais à condição análoga à de escravos*. São Paulo: LTr, 2005.
- CARR, Bridgette *et alli*. *Human trafficking law and policy*. New Providence: Lexis Nexis, 2014.
- GOULART, Rodrigo Fortunato. Direitos humanos e o trabalho escravo no Brasil. In: *Direitos Humanos*, Curitiba, v. I, 2006.
- ILO BRASÍLIA. *Report on a supplementary study of the magnitude of slave labour in Brazil*. October, 2003. Disponível na internet no site <http://www.antislavery.org> em 14/12/2011.
- KNOTT, Lucas. *Unocal revisited: on the difference between slavery and forced labor in international law*. Wisconsin International Law Journal, n. 28, 2010, p. 201-33.
- LEITE, Carlos Henrique Bezerra. A ação civil pública e a tutela dos interesses individuais homogêneos dos trabalhadores em condições análogas à de escravo. In: *Revista do Superior Tribunal do Trabalho*, Brasília, ano 71, n. 2, maio/ago., 2005.
- PALO NETO, Vito. *Conceito jurídico e combate ao trabalho escravo contemporâneo*. São Paulo: LTr, 2008.
- PATTERSON, Orlando. *Slavery and social death – a comparative study*. Cambridge: Harvard University Press, 1982.
- PRUDENTE, Wilson. *Crime de escravidão*. Lumen Juris: Rio de Janeiro, 2006.
- RUWANPURA, Kanchana N. RAI, Pallavi. *Forced Labour - Definitions, Indicators, Measurement*, 2004, http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_081991.pdf.

SCOTT, Rebecca J. O trabalho escravo contemporâneo e os usos da história. *Mundos do Trabalho*, Florianópolis, v. 5, n. 9, 2013, 129-137.

SHARMA, Bahvna. *Report on a supplementary study of the magnitude of slave labour in Brazil*, 2009, http://www.antislavery.org/includes/documents/cm_docs/2009/c/contemporary_forms_of_slavery_in_brazil.pdf

6- CALENDAR

Nº	DATE	TOPIC	CONTENT	METHOD- OLOGY	ASSESS- MENT
1	8/27/15	Introduction	Course presentation. Students should: 1-fill out their profile on moodle; 2- add a profile photo; 3- answer the expectations questionnaire on moodle; 4- answer the questionnaire at https://pt.surveymonkey.com/r/CKQ6KWW Deadline: 5/9/15		
2	9/3/15	Criminal aspects of slave labor	Presentation of slave labor crime (art. 149 of the Criminal Code) and its relevance in the Brazilian legal system	Lecture	
3	9/10/15	Human trafficking	Analysis of legal issues which demonstrate human trafficking situations by groups of five students	Group discussion	
4	9/17/15	Public polices	Presentation of public policies which have been adopted in the last 20 years to confront slave labor and human trafficking	Lecture	10 points
5	9/24/15	Slave labor in Labor Court	Presentation of the approach of slave labor in labor court	Lecture	
6	10/1/15	Legal framework and public polices	Review of the legal framework and public policies through questions and answers (quiz under fire)	Guided study	10 points
7	10/8/15	Client assistance	Simulated situations in which students must attend the clinic slave labor and human trafficking victims	Role play	
8	10/15/15	Analysis of criminal charges	Guided study about writing criminal charges to avoid a defense based on technicalities	Guided study	

9	10/22/15	Analysis of inspection reports	Students should either write criminal charges or take the role of a defense attorney, based on facts described in labor inspection reports	Group discussion	20 points
	15 a 25/9/15	Homework	Students should watch the movie Angels of the Sun (Anjos do Sol) and answer the questionnaire	<i>Sine Magister</i> (movie)	10 points
10	10/29/15	Criminal proceedings	Presentation of criminal proceedings to prepare a role-play	Lecture	
11	11/5/15	Labor court proceedings	Presentation of proceedings in Labor Court to prepare a role-play	Lecture	
12	11/12/15	Criminal and labor trials	Simulation of two trials with participation of judge, prosecutor, defense attorney, witnesses and defendant	Role play	10 points
13	11/19/15	Electronic judicial procedure	Presentation of electronic judicial process in Labor Court	Lecture	
14	11/26/15	Presentation	Presentation made by a professor especially invited, followed by a debate	Seminar	
15	12/3/15	Round cases	Discussion of clinic cases, presented by a couple of students, looking for the best legal remedy	Case analysis	
16	12/10/15	Final exam	Multiple choice and essay		30 points
17	12/17/15	Wrap up	Students should answer the questionnaire “ expectations confirmed ” by 12/15/15. Classroom discussion.		10 points