



INTEREST GROUP ON INTERNATIONAL BUSINESS AND HUMAN RIGHTS

14th ESIL Annual Meeting
International Law and Universality
13th – 15th September 2018, University of Manchester

WORKSHOP

Rethinking Limited Liability in Light of the Universality of Human Rights

Thursday, 13th September 2018
From 9AM to 12:30PM

University of Manchester, Renold Building situated on the North Campus in the City Centre

On the occasion of the 14th ESIL Annual Conference on *International Law and Universality*, the Interest Group on International Business and Human Rights invites its members and other interested academic and experts to join a discussion about the need to rethink the concept of limited liability in a way that takes into account the universality of human rights.

BACKGROUND

The Annual Conference's theme of universality looks beyond the geographical outreach of international law and draws attention to its boundaries. The workshop organized by the Interest Group on International Business and Human Rights takes a fresh view at how normative, institutional and organisational practices have shaped the concept of corporate limited liability in the context of human rights. The Workshop will focus on the intertwined legal principles of limited liability and separate legal entities - such as parent and subsidiaries corporations - in the context of international human rights law, the UNGPs, and other B&HR frameworks. The aim is to assess how, and to what extent, these legal concepts impact on the State duty to protect human rights, the corporate responsibility to respect human rights, and how they affect the victims' right to access remedies and to obtain compensation.

PROGRAMME

9:00 – 9:15

Welcome and Objectives of the Workshop

Dennis West, MA, MSc, University of Oxford; **Mihaela Barnes**, PhD Candidate (International Law), Graduate Institute, Geneva

Presentation of the Papers

9:15 – 10:00

Recent Developments

Moderator: **Alla Tymofeyeva**, Assistant Professor of Public International Law, Charles University Faculty of Law, Prague

The ILVA Case before the European Court of Human Rights: the State's Duty to Protect vis-à-vis Companies' Violations of Human Rights – **Roberta Greco** (Adjunct Professor of International Human Rights Law and International Law at the Faculty of Law, University of Rome, Associate Attorney, Saccucci & Partners)

The Duty of Care of Parent Companies Arising out of the Acts and Omissions of their Subsidiaries The Example of the Shell Cases in the UK and in the Netherlands – **Claire Bright** (Senior Lecturer at the London School of Business and Management)

Questions and Answers

10:00 – 10:45

State Obligations to Protect Human Rights under International Conventions

Moderator: **Mara Tignino**, Reader and Coordinator of the Platform for International Water Law/Geneva Water Hub, Faculty of Law, University of Geneva

Europe, Trade Deals and Forced and Child Labour in Developing States: Towards a More Principled Approach – **Marija Jovanovic** (Research Fellow, Centre for International Law, National University of Singapore)

Limited Liability in International Maritime Conventions and Human Rights – **Yurika Ishii** (Associate Professor, National Defence Academy, Japan)

Questions and Answers

10:45 – 11:15

A Theoretical Perspective on Limited Liability

Moderators: **Angelica Bonfanti**, Associate Professor of International Law, University of Milan and **Marta Bordignon**, Lecturer, Temple University, Rome

Nonsense on Stilts? Limited Liability from an Individualistic-Universalistic Private Law Perspective – **Constantin Hartmann** (Doctoral Research Assistant Humboldt, University Berlin)

11:15 – 11:30 Networking Break

11:30 – 12:00

Keynote Speaker

Surya Deva

Associate Professor, School of Law, City University of Hong Kong; Member, UN Working Group on Business and Human Rights

12:00 – 12:30

General Meeting with the IG Members

- Introduction of the new Coordinating Committee Members
- Updates on the activities of the IG Members
- Outlook: ESIL 2019 Annual Conference to be held in Athens (12th – 14th September 2019): *‘Sovereignty: A Concept in a State of Flux’*

We are looking forward to meeting you at our Workshop!

For any questions, please email Mihaela Barnes at mihaela.barnes@graduateinstitute.ch or Dennis West at dennis.west@gtc.ox.ac.uk

Conveners:

Dr. Marta Bordignon, Temple University Rome
Dr. Mara Tignino, University of Geneva
Prof. Angelica Bonfanti, University of Milan
Dennis West, MA, MSc, University of Oxford
Mihaela Barnes, PhD Candidate, Graduate Institute, Geneva