

Descriptif d'enseignement / *Course descriptions*

Academic Year 2022-23

Semestre 1

Titre du cours - *Course title*

Business law and human rights in global governance

Type de cours : Séminaire

Langue du cours/Language of instruction : English - Anglais

Enseignant(s) – *Professor(s)*

Antonio DEL SOLE

Visiting Professor

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Résumé du cours – Objectifs - *Course description – Targets*

The development of a sustainable economy respecting and protecting human rights

Today a large part of the world economy is in the hands of private individuals and companies and not of States. As a result, the problem of the development of a sustainable global economy arises in connection with respect for human rights on the part of private companies.

The course provides an overview of the main issues implied by the development of an economy without borders and the ways in which the actors of global governance try to promote respect for and protection of human rights.

Therefore, the course aims to examine the basics of regulatory systems and the practical tools necessary to implement human rights in the logic of the global market.

Demand for important skills in business law and respect for human rights is constantly growing in legal practice and in the sectors of the market economy and of State and international organisations as well as in civil society. Participation in the course will allow students to develop the knowledge and skills necessary on the basis of an original approach to pursue a career in this new field.

In addition to the regulatory framework, the course will also give an overview of the leading cases of the courts operating at International, European and domestic level.

Syllabus / Targets

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Main issues

The influence of big companies and multinational corporations on States. The impact of economic power on human rights. Accountability of public bodies, international organisations and multinational corporations. Corporate criminal liability. The role of law in the regulation of the market at European, International and global level. The initiatives of the European Union and the United Nations. The UN Guiding Principles on Business and Human Rights (UNGPs). The State duty to protect human rights. Corporate responsibility to respect human rights. Access to remedy. Key issues areas will be: corporate governance, business law and human rights; international trade law; global finance; climate change; food; access to food, security and quality; global health governance; public education systems; migration; energy; water; digital governance and sovereignty; peace, justice and democratic institutions; press, digital communications and disinformation. Practical cases.

Evaluation - *Assessment*

Final assessment: students will be required to write a final essay on a topic included in the course and to give an oral presentation of this essay, answering to some questions, at the end of the course. The topic will be specific to each student. In the overall evaluation, active participation in the course will be taken into account.

Plan – Séances - *Course outline*

Classroom lessons of two or three hours each.

Practical cases will be examined during the lessons.

Meetings, on site or online, with external guests might be organised.

Bibliographie - *Bibliography* :

Suggested textbooks:

During the course, specific bibliography and study materials will be given and also appropriate documents on issues, legislation and cases will be provided from time to time.

The full list of textbooks will be provided.

Claire Methven O'Brien, *Business and human rights - A handbook for legal practitioners*, Council of Europe, 2019, in <https://edoc.coe.int/en/fundamental-freedoms/7785-business-and-human-rights-a-handbook-for-legal-practitioners.html> (free download)

Key documents:

UN Guiding Principles on Business and Human Rights, in

https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf

Other resources:

Business and Human Rights: Access to Justice and Effective Remedies (with input from the EU Agency for Fundamental Rights, FRA), Report of the European Law Institute, in

https://www.europeanlawinstitute.eu/fileadmin/user_upload/p_eli/Publications/ELI_Report_on_Business_and_Human_Rights.pdf (free download)