

<b>Course title:</b>	Business and Human Rights
<b>Responsible department:</b>	PPCU Summer School / Department for Public International Law
<b>Name of the lecturer:</b>	Douglass Cassel (Notre Dame) – Tamas Adany (Pazmany)
<b>Aim of the course:</b>	The course offers an interpretation of certain current global social, economic, political and legal developments. It intends to broaden the perspective of the students for issues emerging from the interaction of human dignity, human rights and rule of law considerations. The discussion is based on standing norms of the international and various domestic legal orders including judicial decisions. These traditional sources are used to assess the relatively novel challenges posed by the application of human rights concepts for business practices.
<b>Outline of the course:</b>	<p>1) Accountability of TNCs and other non-state actors.</p> <p>The legal position of TNCs in international law  Jurisdiction <i>ratione personae</i> of human rights courts  Preconditions to the exercise of jurisdiction of international courts</p> <p>2) UN "protect, respect, remedy" framework for business and human rights (2008), and UN Guiding Principles on Business and Human Rights (2011)</p> <p>3) European regional implementation: Council of Europe Committee of Ministers recommendations on business and human rights (2016), European Union Council Conclusions on business and human rights (2017), EU Fundamental Rights Agency opinion on business and human rights (2017)</p> <p>4) National Implementation: French Loi du Vigilance (2017 and Swiss proposal (pending)); French prosecution of LaFarge (2018); selected civil cases brought as common law negligence claims in UK, Netherlands and Canada</p> <p>5) Business and human rights and international trade: BIT's, ISDS, new ICSID transparency rules (2014), EU-Canada Comprehensive Economic and Trade Agreement (signed 2016, in force 2017) provisions on arbitration court, Arbitral award in Urbaser v Argentina (2016)</p>
<b>Testing and evaluation:</b>	A written assessment follows the last class meeting.

**Course materials:**

UN "protect, respect, remedy" framework for business and human rights (2008),  
UN Guiding Principles on Business and Human Rights (2011)  
Council of Europe Committee of Ministers recommendations on business and human rights (2016),  
European Union Council Conclusions on business and human rights (2017),  
EU Fundamental Rights Agency opinion on business and human rights (2017)  
EU-Canada Comprehensive Economic and Trade Agreement

Recommended readings:

Relevant chapters from

Thomas Buergenthal and Sean Murphy, Public International Law in a Nutshell (West Pub. 5th ed. 2013)

or

Malcolm Shaw: International Law, Cambridge University Press, 2017, 8<sup>th</sup> edition (6<sup>th</sup> edition available online)