ACCESS TO JUSTICE FOR VICTIMS OF CORPORATE-RELATED HUMAN RIGHTS VIOLATIONS.

EXTRATERRITORIAL JURISDICTION IN CIVIL LITIGATION

AULA MAGNA EMILIO ALESSANDRINI - GUIDO GALLI

COURT OF MILAN

November, 3rd 2016, 2.30-6.00 pm

Conference Background

The UN Guiding Principles on Business and Human Rights - endorsed by the UN Human Rights Council in 2011 - provide for the States obligation to guarantee and facilitate the access to justice for victims of corporate-related human rights violations, by eliminating both the existing legal and procedural barriers. However, victims of human rights violations occurred in developing and emerging countries are often unable to access to an effective remedy in their own country. For this reason, in the last years an increasing number of lawsuits have been filled to European courts and tribunals against EU-based multinational corporations. This complex and challenging topic poses several concerns especially for lawyers and judges in terms of applicable law, jurisdiction, burden of proof, and other procedural and practical obstacles.

This conference is jointly organized by Scuola Superiore della Magistratura and Human Rights International Corner (www.humanrightsic.com), in collaboration with the University of Milan - Jean Monet Course in EU Law on Business and Human Rights. The event is structured in three main sessions: (i) introduction to the UN Guiding Principles on Business and Human Rights and their implementation tools adopted at European level; (ii) an overview of the main legal and procedural barriers within the Italian and European jurisdiction related to transnational civil litigation; (iii) case studies of a transnational Business and Human Rights litigation against EU-based companies.
PROGRAM

2.30 pm - Registration of participants

3 pm – Welcome address
Giuseppe Buffone, Judge at the Tribunal of Milan, SSM

3.10 pm - Access to Justice in Europe
Sheldon Leader, Director of the Essex Business and Human Rights Project (EBHR)
University of Essex (UK)

3.40 pm - The UN Guiding Principles on Business and Human Rights and the related implementation tools at European level
Angelica Bonfanti, Professor of International Law, University of Milan

4 pm - The main practical and judicial barriers to transnational litigation in the Italian and European system
Giacomo Maria Cremonesi, Attorney in Milan, Caiazza&Partners International Law Firm, HRIC Network
Luca Saltalamacchia, Attorney in Naples, Saltalamacchia Law Firm

4.40 pm - Leigh Day Law Firm's experience in transnational Business and Human Rights litigation against EU-based companies
Daniel Leader, Attorney in London, Senior Partner at Leigh Day Law Firm

5.10 – 6 PM Q&A TIME

Registration by October 24th: Marta Bordignon, bordignon.hric@gmail.com