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UGlobe

## Ucall Conference 2017 - Accountability and International Business Operations: Providing Justice for Corporate Violations of Human Rights, Labor and Environmental Standards

### Conference Program Utrecht, May 18-20<sup>th</sup>, 2017

#### Friday, May 19, 2017 – Paushuize (Kromme Nieuwegracht 49)

09:00 – 09:30	Registration and coffee
09:30 – 11:00	<i>Plenary morning session (Chair: François Kristen)</i>
09:30 – 09:45	Introduction by the dean, Prof Dr Annetje Ottow, and Ucall's research director François Kristen
09:45 – 10:15	Larry Backer (Pennsylvania State University) - <i>Unpacking Accountability: The Multinational Enterprise, the State, and the International Community</i>
10:15 – 10:45	Liesbeth Enneking (Utrecht University) – <i>Foreign Direct Liability and Beyond</i>
10:45 – 11:00	Gilles Goedhart (Dutch Ministry of Foreign Affairs) – <i>Access to Remedy in the EU</i>
11:00 – 11:30	Coffee
11:30 – 16:30	<i>Parallel thematic sessions (panels)</i>
11:30 – 13:15	First part thematic sessions on International, Public and Private Law
13:15 – 14:15	Lunch
14:15 – 16:00	Second part thematic sessions on International, Public and Private Law
16:00 – 16:30	Coffee
16:30 – 17:15	<i>Plenary afternoon session (Chair: Cedric Ryngaert)</i>
16:30 – 16:55	Geert van Calster (Leuven University) – <i>For a Fistful of Dollars. Some critical</i>

16:55 – 17:15 *thoughts on the State of Play in Corporate Accountability*  
Questions and discussion  
17:15 – 18:15 Drinks

### **Overview of parallel thematic sessions**

#### **PANEL 1 – Accountability through international regulation**

*Chair:* Cedric Ryngaert

*Location:* Luxembourgzaal – 2<sup>nd</sup> floor

##### *Keynote speaker*

11:30 – 11:50 Karin Buhmann (Copenhagen Business School) - *Risk-based Due Diligence and National Contact Points Specific Instances: towards a Jurisprudence on what Constitutes Responsible Business Conduct?*

##### *Panelists*

11:50 – 12:05 Daniëlla Dam-de Jong (Leiden University) - *The Viability of Due Diligence as a Model to Establish Corporate Accountability Under International Criminal Law: Tackling Corporate Involvement in the Illicit Exploitation of Natural Resources from Conflict Zones*

12:05 – 12:20 Wim Huisman, Mark Hornman & Marjolein Cupido (VU University Amsterdam) – *Holding Business Leaders Accountable for International Crimes: Lessons from Abroad*

12:20 – 12:35 Aleydis Nissen (Cardiff University) – *Between the Devil and the Deep Blue Sea? A WTO Interpretation of Import Restrictions as Suggested by the UN Committee on the Rights of the Child.*

12:35 – 13:15 Discussion

13:15 – 14:15 Lunch

##### *Keynote speaker*

14:15 – 14:35 Nicola Jägers (Tilburg University) - *The Role of National Human Rights Institutions in Respect of Business and Human Rights*

##### *Panelists*

14:35 – 14:50 Klara Boonstra (VU University Amsterdam) - *The potential impact of ILO instruments on the supply-chain of MNE's*

14:50 – 15:05 Tara Van Ho (Aarhus University) - *Business Actors and International Crimes: Should Investment Law Rule the Response?*

15:05 – 15:20 Katerina Yiannibas (University of Deusto) - *The Adaptability of International Arbitration: Reforming the Arbitration Mechanism to Provide Effective Remedy for Business Related Human Rights Abuses*

15:20 – 16:00 Discussion

16:00 – 16:30 Coffee

## **PANEL 2 – Accountability through national public law**

*Chair:* François Kristen

*Location:* Cardinal de Bouillonzaal – 2<sup>nd</sup> floor

### *Keynote speaker*

11:30 – 11:50

Judith van Erp (Utrecht University) – *Reputation as a Regulatory Instrument: the Potential and Pitfalls of Naming and Shaming Corporations*

### *Panelists*

11:50 – 12:05

Annika van Baar (Utrecht University) – *Conflict, Minerals and Reporting Obligations for Multinational Business Operations (what Did Dodd-Frank 1502 Do?)*

12:05 – 12:20

Anne-Jetske Schaap (Utrecht University) – *Legally Binding Duties of Corporations under Domestic Criminal Law to Prevent Modern Slavery*

12:20 – 12:35

Martina Gasser (Swiss Federal Department of Foreign Affairs) – *TBA*

12:35 – 13:15

Discussion

13:15 – 14:15

Lunch

### *Keynote speaker*

14:15 – 14:35

Radu Mares (Raoul Wallenberg Institute of Human Rights and Humanitarian Law, Lund) – *The Tightening and Deepening of CSR – Implications at the Interface between Public and Private Regulation*

### *Panelists*

14:35 – 14:50

Myrthe Vogel (VU University Amsterdam) – *The Added Value of Tender-Based Public Procurement as an Instrument to Promote Human Rights Compliance: What Impact to Expect from the Instrument's Inherent Characteristics*

14:50 – 15:05

Jessy Emaus & François Kristen (Utrecht University) – *From too Big to Be Governed to not too Big to Be Responsible?*

15:05 – 15:20

Björn Fasterling (EDHEC Business School Lille) – *Whose Responsibility? On the "Corporate" in the Corporate Responsibility to Respect Human Rights according to the UN Guiding Principles on Business and Human Rights*

15:20 – 16:00

Discussion

16:00 – 16:30

Coffee

### **PANEL 3 – Accountability through private law**

*Chair:* Ivo Giesen

*Location:* 's Jacobzaal – 1<sup>st</sup> floor

#### *Keynote speaker*

11:30 – 11:50 Martijn Scheltema (Erasmus University Rotterdam and Pels Rijcken & Droogleever Fortuijn advocaten en notarissen) – *Better Human Rights Compliance in Supply Chains by Strengthening Contractual Mechanisms*

#### *Panelists*

11:50 – 12:05 Daniel Augenstein (Tilburg University) – *Torture as Tort? Access to Justice in Transnational Tort Litigations for Corporate Human Rights Violations and the Doctrine of Jurisdiction*

12:05 – 12:20 Lucas Roorda (Utrecht University) – *Private International Law Jurisdiction as a Tool for Improving Access to Remedy*

12:20 – 12:35 Nicolas Bueno (Université de Lausanne) - *From Responsibility to Liability: The Swiss Federal Initiative on Responsible Business*

12:35 – 13:15 Discussion

13:15 – 14:15 Lunch

#### *Keynote speaker*

14:15 – 14:35 Vibe Ulfbeck (University of Copenhagen) – *Sustainable Supply Chains - Towards a Concept of Production Liability?*

#### *Panelists*

14:35 – 14:50 Loes Lennarts (Groningen & Utrecht University) – *Preventing Adverse Human Rights Impact of MNC's Activities by Promoting Socially Responsible Financing and Investment*

14:50 – 15:05 Paul Dowling (Leigh Day) - *Limited Liability and Separate Corporate Personality in Multinational Corporate Groups: Conceptual Flaws, Accountability Gaps, and the Case for a Profit-Risk Liability Regime for Dangerous Activities*

15:05 – 15:20 Franziska Wohltmann (University of Erlangen-Nürnberg) - *Establishing a Lead Firms' Liability for Human Rights Violations in its Supply Chain: Guidance from Tort Law*

15:20 – 16:00 Discussion

16:00 – 16:30 Coffee

## Saturday, May 20, 2017 – Academiegebouw (Domplein 29)

09:30 – 12:45	<i>Plenary morning session (Chair: Ivo Giesen)</i>
09:30 – 10:15	Jennifer Zerk (Jennifer Zerk Consulting) – <i>Accountability and Remedy for Business-Related Human Rights Abuses: Practical Strategies for a Complex and Uncertain World</i>
10:15 – 12:15	Roundtable
	<i>Moderators</i> Ivo Giesen & Liesbeth Enneking
	<i>Participants</i> Jan van Wijngaarden (Social Economic Council Netherlands) Jan Eijsbouts (Maastricht University, World Legal Forum Foundation) Michelle Jonker-Argueta (Greenpeace) Jennifer Zerk (Jennifer Zerk Consulting) Larry Backer (Pennsylvania State University) Olivier de Schutter (Université Catholique de Louvain) Martina Gasser (Swiss Federal Department of Foreign Affairs)
11:00 – 11:30	Coffee
12:15 – 12:45	Olivier de Schutter (Université Catholique de Louvain) - <i>Monitoring Human Rights in Global Supply Chains</i>
12:45 – 13:00	Closing remarks Cedric Ryngaert

## Thursday, May 18, 2017 – Toon Peterszaal (Achter Sint Pieter 200)

16:30 – 18:45	PhD Masterclass ( <i>Chair: Liesbeth Enneking</i> )
	<i>Participants</i> <ul style="list-style-type: none"><li>- Koen de Roo (VU University Amsterdam / Zuidas Institute for Financial Law and Company Law) – <i>The Directors' Duty to Play by the Rules</i></li><li>- Benjamin Thompson (Utrecht University) - <i>Bridging the Gap between Principles and Rules in Financial Institutions' Human Rights Responsibilities: The Dutch Banking Sector Agreement on Human Rights and its Potential Efficacy</i></li><li>- Ekaterina Aristova (University of Cambridge) - <i>Tort Litigation Against Transnational Corporations in England: The Challenge of Jurisdiction</i></li><li>- Daniela Heerdt (Tilburg University) - <i>Closing the Accountability Gap of Mega-Sporting Events</i></li><li>- Rachel Chambers (Essex University) - <i>An Evaluation of Extraterritorial Techniques to Bring Human Rights Standards to Bear on Corporate Misconduct</i></li></ul>