



ACADEMY OF HIGH LEGAL EDUCATION  
Summer Course

# Business and Human Rights for Legal Practitioners

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July 5 to 16, 2021

## A 25-hour online programme From July 5 to 16, 2021

### Format:

10 modules of 2 hours and a half each  
3 Introductory General Modules and  
7 Area Specific Modules on the  
implementation and practical effect  
of the UNGPs and SDGs

### Training Method:

A mix of presentations, interactive  
exercises and real case studies

### Dates:

Monday through Friday  
from 16:00 to 18:30 CEST  
on July 5- 6- 7- 8- 9  
and July 12- 13- 14- 15- 16

## ORGANISING COMMITTEE

### Carlos DE MIGUEL PERALES

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## COURSE COORDINATOR

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## INTRODUCTION

With less than 10 years left to achieve the 2030 Agenda for Sustainable Development, the law and lawyers have critical roles to play in driving progress under the United Nations Guiding Principles on Business and Human Rights (UNGPs) and toward the UN Sustainable Development Goals (SDGs).

The private sector is increasingly integrating the SDGs into their business practice in order to better manage their risks, build positions in growth markets, and strengthen their supply chains. As companies seek advice about the legal and regulatory implications of aligning themselves with the goals, the UNGPs and the SDGs are fast becoming emerging areas of practice in which lawyers are requested to provide responsible advice to their corporate clients.

### Why is this Course useful?

Lawyers should be aware of the core concepts and principles established by the UNGPs and understand international human rights principles and how they relate to businesses' operations and play a vital role in helping businesses avoid involvement in human rights violations. Law firms are increasingly finding that their business clients seek and require legal advice on the human rights aspects of their transactions and activities to identify and mitigate risks, comply with international and national regulations, and promote their visibility as ethical businesses.

This situation presents a challenge to business lawyers who are required to understand and integrate human rights into their current representation and advisory services. It also presents an opportunity to expand the scope of advice and develop new services in light of the growing expectation that businesses respect human rights throughout their operations.

The Course provides lawyers with an in-depth understanding of the latest issues at the nexus of law and sustainable development, the human rights impacts resulting from business activities at the international, regional, and national levels, and how to carry out a corporate human rights due diligence process.

Upon completion of the Course, the participants should be able to: demonstrate a thorough knowledge of human rights standards and how they apply to companies and the challenges they face; understand the need for corporate due diligence and identify processes and approaches for undertaking it; and develop due diligence assessment methods and tools companies can use in order to ensure respect for human rights.

# HOW TO REGISTER

Register online at [www.uianet.org](http://www.uianet.org)

Registration fees*	Standard	UIA Member
<b>FULL COURSE</b> <i>including the 10 modules</i>	€ 250	€ 190
<b>ONE, TWO OR THREE-SESSION</b> <i>Fee per session</i>	€ 70	€ 60

**After registering, you will receive a confirmation email explaining how to join the Course.**

Please note that the number of places is limited. The organisers reserve the right to refuse registrations in the event of excess applications. Admission will be on a first come – first served basis and will only be confirmed upon receipt in full of the registration fees.

\*Amounts exclusive of VAT. The VAT (20%) can be applied to the amount stated above according to the European Directive 2006/112/CE of November 28, 2006. If you have one, please provide your EU VAT ID number. For more information, please contact the UIA.



## FORMAT

10 modules of 2 hours and a half each  
3 Introductory General Modules and  
7 Area Specific Modules on the implementation and practical effect of the UNGPs and SDGs

Monday through Friday from 16:00 to 18:30 CEST on July 5- 6- 7- 8- 9 and July 12- 13- 14- 15- 16

## TRAINING METHOD

A mix of presentations, interactive exercises and real case studies.

## LANGUAGE

The working language will be **English**.

## CONTINUING LEGAL EDUCATION

Every participant attending the Course will receive a “Certificate of Participation” at the end of the event that may be used to obtain “Credits” for “Continuing Legal Education”.

## CONTACT & INFORMATION

Please do not hesitate to contact us at [uiacentre@uianet.org](mailto:uiacentre@uianet.org) or by phone **+33 1 44 88 55 66** should you have any questions.

## PART I - Introductory Modules

### Opening of the Course & Keynote Speech

Monday, July 5

from 3:30 PM CEST to 4:00 PM CEST (Paris time)

from 9:30 AM EDT to 10:00 AM EDT (New York)

#### Welcome and Opening of the Course

- **Jorge MARTÍ MORENO**, *UIA President, Uría Menéndez, Valencia, Spain*

#### Keynote Speaker

- **Cécile APTEL**, *Chief, Rule of Law and Democracy Section, United Nations' Office of the High Commissioner for Human Rights, Geneva, Switzerland*

### MODULE 1 - The UN Guiding Principles on Business and Human Rights: Background, Current Situation and Challenges Ahead

Monday, July 5

from 4:00 PM CEST to 6:30 PM CEST (Paris time)

from 10:00 AM EDT to 12:30 PM EDT (New York)

The UN Global Compact three pillars:

Pillar I: State duty to protect

Pillar II: Business responsibility to respect

Pillar III: Access to remedy

Core concepts, e.g. human rights due diligence, leverage, value chain, Protect, Respect and Remedy - under which all business enterprises have a responsibility to respect human rights and to address any negative impact

From Responsibility to Accountability: How Business and Human Rights is a Movement for Corporate Accountability

- **Anita RAMASASTRY**, *Member of the UN Working Group on Business and Human Rights, Henry M. Jackson Professor of Law, Faculty Director, International, Transnational and Comparative Law Programs; Director, Sustainable International Development LLM Program, University of Washington School of Law, Seattle, WA, USA*

Moving from Soft to Hard Law in CSR and Business and Human Rights: Human Rights Due Diligence

- **Dr. Corinne LEWIS**, *Partner, Lex Justi, Brussels, Belgium; International Human Rights Committee Co-Chair, American Bar Association, International Law Section*

Lawyers' Role and Responsibilities in Connection with the UNGPs

- **John SHERMAN**, *Senior Program Fellow, Corporate Responsibility Initiative, Harvard Kennedy School, Cambridge, MA, USA*

Access to Remedies for Business-Related Human Rights Abuses: Private International Law Issues

- **Prof. Angelica BONFANTI**, *Università degli Studi di Milano, Milan, Italy*

#### Chair of the session

- **Carlos DE MIGUEL PERALES**, *Lawyer and University Professor (Comillas University, Madrid), Madrid, Spain*

### MODULE 2- The UN Sustainable Development Goals (SDGs)

Tuesday, July 6

from 4:00 PM CEST to 6:30 PM CEST (Paris time)

from 10:00 AM EDT to 12:30 PM EDT (New York)

The OECD Guidelines National Contact Points  
ICC - (Investment arbitration) - ICC Guide on Responsible Sourcing  
Other international standards

- **Ricardo César PÉREZ MANRIQUE**, *Judge of the Inter-American Court of Human Rights, Montevideo, Uruguay*
- **Jamas HODIVALA QC**, *CFE, Matrix Chambers, London, United Kingdom*
- **Claudia S. DE WINDT**, *Founding Partner & CEO, Inter-American Institute on Justice and Sustainability (IIJS), Washington, DC., Quito, Asuncion, Santo Domingo*

#### Chair of the session

- **Carolina MARÍN PEDREÑO**, *President of the UIA Human Rights Commission, Dawson Cornwell Solicitors, London, United Kingdom*

## MODULE 3- Business and Human Rights in the EU

Wednesday, July 7

from 4:00 PM CEST to 6:30 PM CEST (Paris time)

from 10:00 AM EDT to 12:30 PM EDT (New York)

The Charter of Fundamental Rights of the European Union. Practical implications (How the day to day application of Human Rights affects business and fundamental freedoms within the European Union)

- **François MOYSE**, *Director - Rule of Law - UIA-IROL, Moyse & Associates, Luxembourg*
- **Prof. Catherine BARNARD**, *M.A. (Cantab.), LL.M. (EUI); PhD. (Cantab), Professor of European Union and Labour Law, Trinity College, University of Cambridge, United Kingdom*
- **Florentino CARREÑO VICENTE**, *President of the UIA European Union Law Commission, Partner, Cuatrecasas, Madrid, Spain*

Round Table:

- **Florentino CARREÑO VICENTE**, *President of the UIA European Union Law Commission, Partner, Cuatrecasas, Madrid, Spain*
- **Ángela DÍAZ-BASTIEN VARGAS-ZÚÑIGA**, *Co-Director - Protection of Lawyers - UIA-IROL, Partner, Ernesto Diaz-Bastien & Asociados, SLP, Madrid, Spain*
- **Dr. Zakaria BERROUANE**, *Cemadhi International, Ceuta, Spain*
- **Prof. Catherine BARNARD**, *M.A. (Cantab.), LL.M. (EUI); PhD. (Cantab), Professor of European Union and Labour Law, Trinity College, University of Cambridge, United Kingdom*

### Co-Chairs of the session

- **Ángela DÍAZ-BASTIEN VARGAS-ZÚÑIGA**, *Co-Director - Protection of Lawyers - UIA-IROL, Partner, Ernesto Diaz-Bastien & Asociados, SLP, Madrid, Spain*
- **Florentino CARREÑO VICENTE**, *President of the UIA European Union Law Commission, Partner, Cuatrecasas, Madrid, Spain*

## PART II – AREA SPECIFIC MODULES

### The Implementation and Practical Effect of the UNGPs and SDGs in Specific Areas of the Law

#### MODULE 4- Environmental Law

Thursday, July 8

from 4:00 PM CEST to 6:30 PM CEST (Paris time)

from 10:00 AM EDT to 12:30 PM EDT (New York)

Specific areas of Environmental Law in businesses (e.g., air quality, water, participation) interacting with human rights (e.g. rights to life, health, privacy), with a specific reference to climate change (e.g. recent court decisions in the Netherlands and Ireland).

Practical challenges for lawyers when dealing with environmental and human rights issues (from ethical questions to specific due diligence matters).

The Current State of Global Environmental Crises and the Development of Potential New Legal Solutions

- **Maria Antonia TIGRE**, *Director of Latin America for the Global Network for the Study of Human Rights and the Environment (GNHRE), New York, NY, USA*

Business and Human Rights in Europe: The Case Law at the ECHR and Recent Cases on Climate Change

- **Carlos DE MIGUEL PERALES**, *Lawyer and University Professor (Comillas University, Madrid), Madrid, Spain*

The Participation of Civil Society and Indigenous Peoples to Protect the Environment a New Challenge for the Corporate Lawyer. Recent Cases in Latin America

- **Luis Fernando MACÍAS GÓMEZ**, *President of the UIA Environment and Sustainable Development Law Commission, Philippi Prietocarrizosa Ferrero DU & Uría, Bogotá, Colombia*

### Chair of the session

- **Luis Fernando MACÍAS GÓMEZ**, *President of the UIA Environment and Sustainable Development Law Commission, Philippi Prietocarrizosa Ferrero DU & Uría, Bogotá, Colombia*

## MODULE 5- Contracts

Friday, July 9

from 4:00 PM CEST to 6:30 PM CEST (Paris time)

from 10:00 AM EDT to 12:30 PM EDT (New York)

Impact of Human Rights on Companies' Business from a Private Law Perspective

- Access to Public Goods
- Law on Unfair Competition
- Supply Chain Due Diligence

• **Steven M. RICHMAN**, *UIA Deputy Chief Editor - Juriste International, Clark Hill PLC, Princeton, NJ, USA*

The Unsuspected Binding Nature of the UN Guiding Principles on Business and Human Rights through Selected Legislative Initiatives in Europe

• **Sylvain SAVOLAINEN**, *SAVOLAINEN Avocats, Geneva, Switzerland*

The new Hague Rules on Business and Human Rights Arbitration – a Real Breakthrough for Human Rights in the Business World?

• **Christine DEMPE**, *LL.M. (Norwich), Certified Specialist on International Business Law, Brödermann Jahn Rechtsanwalts-gesellschaft mbH, Hamburg, Germany*

### Chair of the session

• **Dr. Christoph OERTEL**, *President of the UIA Contract Law Commission, Maître en Droit (Paris I), LL.M. (Köln/Paris), Rechtsanwalt, Brödermann Jahn Rechtsanwalts-gesellschaft mbH, Hamburg, Germany*



## MODULE 6- Banking and Financial Services

Monday, July 12

from 4:00 PM CEST to 6:30 PM CEST (Paris time)

from 10:00 AM EDT to 12:30 PM EDT (New York)

Financial institutions are being impacted by Environmental, Social, and Governance (ESG) regulations, including regulations pertaining to human rights. The trend to regulate financial institutions with respect to ESG criteria also impacts the financial covenants applicable to operational companies borrowing for their activities, including corporations active in the commodity business.

The Regulatory Trend in the Financial Sector, including in Europe with the EU Sustainable Finance Disclosure and the EU Sustainable Finance Taxonomy Regulations

• **Yvonne LENOIR GEHL**, *Head Group Regulatory Office, Banque Pictet & Cie SA, Geneva, Switzerland*

The Implementation Issues Regarding the ESG Regulations in Europe

• **Silvestre TANDEAU DE MARSAC**, *UIA Financial Director, Partner, FTMS Avocats, Paris*

The ESG Financial Covenants Applicable in the Financing of Commodity Trading

• **Lisa WEIHSE**R, *International Affairs, Legal and Regulatory Affairs, Swiss Trading & Shipping Association, Geneva, Switzerland*

• **Raphael JENNY**, *Domestic Affairs, Legal Advisor & Public Affairs, Swiss Trading & Shipping Association, Geneva, Switzerland*

ESG Financial Covenants and their Implementation within an Operational Company

• **Thomas QUIÉVY**, *Group Treasurer of ECOM Agroindustrial Corp. Ltd, Geneva, Switzerland*

### Chair of the session

• **Olivier NICOD**, *President of the UIA Banking and Financial Services Law Commission, Walder Wyss SA, Lausanne, Switzerland*

## MODULE 7- Corporate Law: Risk Management in Business Transactions

Tuesday, July 13

from 4:00 PM CEST to 6:30 PM CEST (Paris time)

from 10:00 AM EDT to 12:30 PM EDT (New York)

Countries across the globe are requiring companies to ensure that they not only comply with the laws in the jurisdictions where they are located but implement a system of vigilance to identify risks and prevent serious violations of human rights and fundamental freedoms as well as ensure safety and protect the environment in connection with activities of those companies and their subsidiaries and their suppliers and subcontractors. This session will discuss how these laws have been implemented so far in places like France, the implementation of these types of programs as well as the response by some jurisdictions to the implementation of these regimes.

- **Verena MOLL**, Deputy Director of UIA Commissions, Rechtsanwältin | Avocat à la Cour, Berg & Moll Paris, Berlin, France / Germany
- **Diego SALUZZO**, President of the UIA Food Law Commission, Grande Stevens Studio Legale, Turin, Italy
- **Avi SINGH**, Co-Director - Protection of Lawyers - UIA-IROL, Cicero Chambers, New Delhi, India

### Chair of the session

- **James D. ROSENER**, President of the UIA Corporate Law and Mergers & Acquisitions Commission, Partner, Troutman Pepper, New York, NY, USA

## MODULE 8- Administrative Law

Wednesday, July 14

from 4:00 PM CEST to 6:30 PM CEST (Paris time)

from 10:00 AM EDT to 12:30 PM EDT (New York)

Public Proceeding Principles (Impartiality, Participation, Transparency, Effectiveness)

- **Marco MARIANI**, President of the UIA Administrative and Regulatory Law Commission, Studio Legale Associato Catte Mariani, Florence, Italy

Private Ownership Rights Infringed by Public Powers

- **Rosa Isabel PEÑA SASTRE**, UIA Deputy Director of Collective Members, Partner, Roca Junyent S.L.P., Barcelona, Spain

Personal Rights Limitations by Administrative and Political Powers during the Pandemic

- **Claude NICATI**, Étude NVB (Nicati, Vara & Bigler), Neuchâtel, Switzerland

### Chair of the session

- **Marco MARIANI**, President of the UIA Administrative And Regulatory Law Commission, Studio Legale Associato Catte Mariani, Florence, Italy

## MODULE 9- Employment Law

Thursday, July 15

from 4:00 PM CEST to 6:30 PM CEST (Paris time)

from 10:00 AM EDT to 12:30 PM EDT (New York)

- Ethical Trade and Labour Rights in the Supply Chain
- The Role of Unions
- Employment Law and Diversity

- **Prof. Dra. Lina Parra CORTÉS**, Lawyer and University Professor, Universidad Andina Simón Bolívar, Quito, Ecuador
- **Prof. Dra. María SALAS PORRAS**, University Professor, Universidad de Málaga, Spain
- **Prof. Dr. Francisco VIGO SERRALVO**, University Lecturer, Universidad de Málaga, Spain
- **Dr. Jean-Benoît MAISIN**, Ph. D. Candidate, Université Saint-Louis - Bruxelles, Brussels, Belgium
- **Prof. Dr. David ISRAEL BILCHITZ**, University Professor, University of Johannesburg, South Africa

### Chair of the session

- **Prof. Dr. José Luis REY PÉREZ**, University Professor, Universidad Pontificia Comillas, Madrid, Spain

## MODULE 10 - Due Diligence [A Practical Interactive Session]

Friday, July 16

from 4:00 PM CEST to 6:30 PM CEST (Paris time)

from 10:00 AM EDT to 12:30 PM EDT (New York)

This session will explore the practical aspects and critical issues of a Business and Human Rights Due Diligence process in different industrial sectors.

Human Rights Due Diligence by the Businesses that have Security Companies in their Supply Chains (such as those in mining for example)

- **Jamie WILLIAMSON**, *Executive Director of ICoCA - The International Code of Conduct Association, Geneva, Switzerland*

ICMM Guidance on Human rights in the Mining and Metals Industry - Integrating Human Rights Due Diligence into Corporate Risk Management Processes

- **Marcus ADDY**, *Senior Programme Officer at the International Council on Mining & Metals – ICMM, London, United Kingdom*

Human rights Due Diligence in the financial sector.

- **Andrea SHEMBERG**, *Co-founder and director SILA Advisory; chair Global Business Initiative on Human Rights (GBI), Bologna, Italy*

- **Andrea SALDARRIAGA**, *Co-founder and director SILA Advisory; expert Project Complaint Mechanism European Bank for Reconstruction and Development, Paris, France*

### Chair of the session

- **Carolina MARÍN PEDREÑO**, *President of the UIA Human Rights Commission, Dawson Cornwell Solicitors, London, United Kingdom*

## UIA Bringing Together the World's Lawyers

The UIA is a global and multi-cultural organization for the legal profession. Created in 1927, the UIA brings together members from more than 120 countries. The UIA facilitates professional development and international exchange of information and ideas, promotes the rule of law, defends the independence and freedom of lawyers worldwide, and emphasises friendship, collegiality, and networking among members.

Today, the UIA reaches around two million lawyers through its individual and collective members (bar associations, lawyers' federations, and organisations) worldwide.

Several types of membership are available, depending on your profile and the country in which you practice law.

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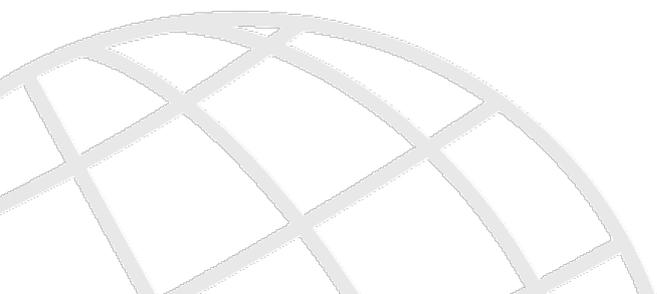
You can participate in the work of the 43 UIA commissions and share your experience with professionals from all over the world, during seminars, training courses and the UIA annual congress.

You will also be able to join forces with the UIA Institute for the Rule of Law (UIA-IROL), which, each year, provides its support to lawyers who cannot freely practice their profession. Everywhere in the world where rights of defence are threatened or the proper administration of justice is hindered, the UIA will make your voice heard.

Becoming a member of the UIA will also enable you to benefit from a preferential rate for your registration to the events.

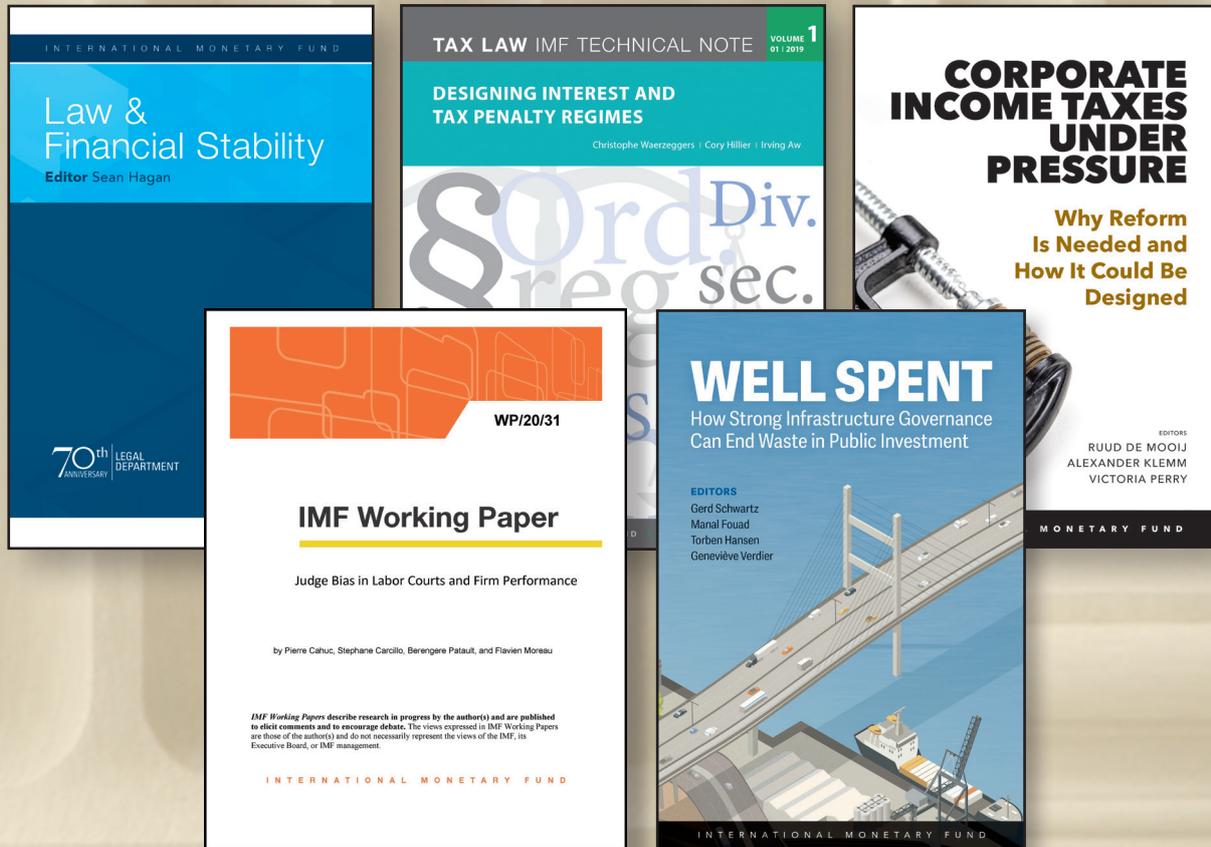
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## Legal Essential Reading Guide

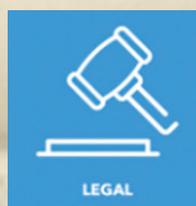


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# CANCELLATION CONDITIONS AND GENERAL CONDITIONS

## CANCELLATION CONDITIONS

All cancellations will be subject to a 50% deduction and will have to be sent in writing, to be received by the International Association of Lawyers (UIA – Union Internationale des Avocats) **no later than June 21, 2021**. No refund will be made for cancellations received after this date.

A participant, who cannot attend, may send a substitute participant without any additional cost. Please inform the UIA in writing ([uiacentre@uianet.org](mailto:uiacentre@uianet.org)) prior to the event.

## GENERAL CONDITIONS

All registrations received by the International Association of Lawyers (UIA – Union Internationale des Avocats) along with the full payment of fees corresponding to the events selected will be confirmed in writing. If you have not received an email confirmation within 48 hours after your registration, please contact the team at [uiacentre@uianet.org](mailto:uiacentre@uianet.org)

The UIA reserves the right to cancel or postpone the course to a later date, change the programme, make any corrections or modifications in the information published in the programme and cancel any invitation to participate in the course, at any time and at their entire discretion, without having to provide any reasons for the same.

Neither the UIA, nor any of its managers, employees, agents, members or representatives shall be held responsible for any loss or damage, of any nature, suffered (directly or indirectly) by a delegate, accompanying person or a third party following any cancellations, changes, postponements or modifications.

The contractual relations between the UIA and each participant (delegate) in relation to the course are subject to French law and jurisdiction, to the exclusion of any other law. Paris is the city of jurisdiction.

## FILMING, PHOTOGRAPHY AND SOUND RECORDING

In registering for our events, delegates and speakers grant permission to the UIA, its agents and others working under its authority, to film, record or photograph at its events. It is understood that these recordings and photographs may be used for promotional, news, online/multimedia and/or marketing purposes for the promotion of the organisation and its events. If you wish to be excluded from any recording or photograph, please email us at [uiacentre@uianet.org](mailto:uiacentre@uianet.org) at the time of your registration.

## FORCE MAJEURE

“Force majeure” means any events external to the parties, of both an unforeseeable and insurmountable nature that prevents either the client or the participants, or the agency or service providers involved in organising the event, from executing all or part of the obligations provided for in the present agreement. By express agreement, such will be the case in the event of a strike affecting the means of transport, hotel staff, air traffic controllers, an insurrection, a riot or any prohibition whatsoever decreed by governmental or public authorities.

It is expressly agreed that for the parties, a case of force majeure would suspend the execution of their reciprocal obligations. At the same time, each of the parties shall bear the burden of all the expenses incumbent upon them, resulting from the case of force majeure.

## PERSONAL DATA PROTECTION

The personal data that you communicate to us shall be processed by the International Association of Lawyers (UIA – Union Internationale des Avocats), with its registered office at 9 rue du Quatre-Septembre – 75002 Paris (Tel: +33 1 44 88 55 66 - Fax: +33 1 44 88 55 77 - [privacy@uianet.org](mailto:privacy@uianet.org)), in accordance with Act No. 78-17 of January 6, 1978 relating to data, files and freedoms and Regulation No. 2016/679 on data protection, as of its entry into force on May 25, 2018. Your data will be managed by UIA's General Services, Events and Accounts Section:

- For the purpose of administering your registration for the event and your on-site access to the event;
- In order to pay for the selected services - your bank details will be deleted after receipt of your payment;
- In order to communicate information messages from UIA.

To the extent necessary for the execution of their respective tasks, our subcontractors in charge of our event organisation, our IT infrastructure, our management, the production and maintenance of our website and extranet, are likely to gain access to your data from time to time. Their servers are located in the European Union.

Data relating to your participation in the event shall be stored for a period of 10 years. We are obliged to archive billing data until the end of the period required for our tax and accounting obligations, i.e. for 7 full tax years. We shall store your contact information to keep you informed until you ask us to stop. You have the right to access your data and have it corrected if necessary.

You may object to any processing of your data undertaken by us for the purposes of our legitimate interests. If you wish for more information, or to lodge a complaint, please contact CNIL (French Data Protection Authority).