



18th ESIL Annual Conference

IS INTERNATIONAL LAW FAIR?

30th August – 3rd September 2023

Aix-Marseille University

HYBRID WORKSHOP

Fairness in international business and human rights law

Thursday 31 August 2023

From 9:15 to 12:30 (CET)

On the occasion of the 18th ESIL Annual Conference on “Is international law fair?”, the Interest Group on International Business and Human Rights invites its members and other interested academic and experts to join a discussion about the question of fairness in international business and human rights law.

Background

Fairness may appear, at a very first sight, an implicit and almost established concept underlining contemporary legal developments and scholarly discussions in the field of business and human rights. But what, in practice, does fairness mean in this context? How does it apply? How can ideas of fairness be translated into international legal norms and standards? Have the meanings and perceptions of fairness evolved over time, and if so how has this impacted on the law? And even more problematically, is fairness a viable and appropriate concept through which examining, and perhaps assess, the international law in the field of business and human rights?

In line with the theme of the 18th ESIL Conference, the discussions at the annual workshop of the Interest Group on Business and Human Rights will revolve around questions of fairness in relation to international law on business and human rights.

PROGRAMME

Welcome and introduction
The Coordinating Committee

9:15-9:30

PANEL 1: Fairness as a cross-cutting theme in business and human rights law?

9.30-10.30

Fairness and Public Participation in Corporate Accountability Law – Nico Krisch (Graduate Institute of International and Development Studies, Geneva).

Towards Procedural Fairness in Global Value Chain - Jannika Jahn (Max Planck Institute of Comparative Public Law and International Law)

Independent accountability mechanisms in development finance - Inbal Djalovski (Office of Prosecutor, International Criminal Court) - TBC

Questions & Answers

PANEL 2: Fairness, Due diligence and corporate responsibility

10.30 – 11.30

Striking a Balance: the role of fairness in Human Rights due Diligence and Corporate Responsibility - Giuseppe Corsaro (University of Catania)

Corporations, International Criminal Law and Fair Trial - Alessandra De Tommaso (Middlesex University)

Double Standards of Unfairness in Corporate Human Rights Responsibilities: the Airbnb Saga in the Occupied West Bank - Omer Erkut Bulut (King's College London)

Piercing the Veil: A TWAIL Critique of the Legal Norms Underpinning Transnational Corporate Responsibility - Raas Nabel (Research Society of International Law)

Questions & Answers

Coffee Break 11.30-11.40

PANEL 3: Procedural fairness, public interest and the environment

11.40 – 12.30

Rights of Nature: Overcoming the Anthropocentric Logic of Business and Human Rights? - Schiffauer Izabela (Adam Mickiewicz University, Poznan).

Rethinking fairness of business and human rights standards in times of challenge for climate protection: a new universal paradigm? - Gentimir Alina and Popescu Ada-Iuliana (Alexandru Ioan Cuza University of Iasi)

Procedural Fairness in business and human rights arbitration - Maciej Gajos (University of Wroclaw)

Questions & Answers