Conference

Access to Justice in Germany for Victims of Corporate Human Rights Abuses

Date: 4 November 2014
From 12:30 am to 6:30 pm
Location: Humboldt Universität, Senatsaal, Unter den Linden 6, 10099 Berlin
Language: German and English with simultaneous interpretation
RSVP by e-mail before 24 October 2014 to: bueno@ecchr.eu

Victims of corporate Human Rights abuses abroad face a variety of hurdles to accessing justice in Germany, even when German corporations are involved in the abuses. Two recent studies from the European Coalition for Corporate Justice (ECCJ) and Amnesty International analyse such legal and practical hurdles that face victims of corporate abuse in a variety of different countries, when holding corporations to account. At this conference, we would like to discuss the gaps, as well as some proposed solutions in the German civil law, in order for victims of German corporations to gain access to justice in Germany.
Program

12:30 – 13:00  Lunch/snacks

13:00 – 13:15  Welcome Address:
Wolfgang Kaleck, General Secretary at ECCHR

13:15 – 14:15  Overview: Challenges and Solutions in Accessing Justice for Victims of Corporate Human Rights Abuses

I.  “The Third Pillar: Access to Judicial Remedies for Human Rights Violations by Transnational Business”: Presentation of country comparison report by the European Coalition for Corporate Justice (ECCJ)
Prof. Dr. Olivier de Schutter, Université de Louvain, UN Special Rapporteur on the Right to Food

II.  “Injustice Incorporated: Advancing the Right to Remedy”: Presentation of four case studies by Amnesty International
N.N, Amnesty International, International Secretariat

Moderation: Johanna Kusch, Germanwatch

Short Coffee Break (10 Min.)

14:30 – 16:30  Pressing Issues and Solutions in German Civil Law

I.  Pressing “Procedural” Issues and Solutions in German Civil Law to Gain Access to Justice (60 min.)

Dr. Remo Klinger, Lawyer

Dr. Miriam Saage-Maaß, Lawyer, Vice Legal Director at ECCHR

Dr. Klinger and Dr. Saage-Maaß will share their practical experiences and provide examples of procedural hurdles they have faced in gaining access to justice for victims of corporate human rights abuses. They will propose solutions to overcome these procedural hurdles in German law and will focus in particular on the questions of costs of civil proceedings; the possibility to submit collective claims; the burden of proof; and the jurisdiction of German tribunals when German subsidiaries are involved in human rights abuses abroad.

Moderation: Johanna Kusch, Germanwatch

I.  Pressing “Substantive” Issues and Solutions in German Civil Law to Gain Access to Justice (60 min.)

Prof. Dr. Bachmann, Freie Universität Berlin

Robert Grabosch (LL.M.), Rechtsanwalt

Prof. Dr. Bachmann and Mr. Robert Grabosch are experts in German corporate and civil law. They will present how to establish the legal responsibility of corporations for human rights abuse in German civil law. They will focus on the duties of care that German companies have regarding activities of their subsidiaries and contractors in
foreign countries. They will explore options for establishing civil liability for companies for human rights abuses committed by their subsidiaries and contractors.

Moderation: Sarah Lincoln, Brot für die Welt

16:30 – 17:00  Coffee Break

17:00 – 18:30  Panel Discussion: Law Reform – Where to start? What are the political hurdles?

State of the Debate at the EU level
Filip Gregor, Chair of European Coalition for Corporate Justice

Panelists:
- NN., Federal Ministry of Foreign Affairs (tbc)
- Prof. Dr. Eva Kocher, Europa-Universität Viadrina, Chair of Private Law, Labour Law and Private Procedural Law
- Dr. Miriam Saage-Maaß, Vice Legal Director at ECCHR / CorA Netzwerk
- Niema Movassat, Member of the Parliament, Die Linke (tbc)
- Andreas Jung, Member of the Parliament, CDU (tbc)

Moderation: Michael Windfuhr, Deutsches Institut für Menschenrechte

Please RSVP before the 24 October 2014 by sending an e-mail to bueno@ecchr.eu

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