

*Northwestern University School of Law and Katholieke Universiteit Leuven Faculty of Law present the*  
**SIXTH ANNUAL TRANSATLANTIC DIALOGUE—LEUVEN AND CHICAGO**

October 24–25, 2007  
Chicago, Illinois U.S.A

# Symposium on Corporate Human Rights Responsibility

Its Growing Relevance  
and Enforceability



KATHOLIEKE UNIVERSITEIT  
**LEUVEN**

*This symposium is presented in partnership with the American Society of International Law.*

# Corporate Human Rights Responsibility

## Its Growing Relevance and Enforceability

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### Presented by

Northwestern University School of Law  
Center for International Human Rights  
Journal of International Human Rights  
357 East Chicago Avenue  
Chicago, Illinois 60611-3069  
[www.law.northwestern.edu](http://www.law.northwestern.edu)

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### In partnership with

American Society of International Law  
Center for Civil and Human Rights  
University of Notre Dame Law School  
Notre Dame, Indiana

The Chicago Council on Global Affairs  
Human Rights Institute  
Columbia University School of Law  
New York, New York

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### With the support of

Ford Motor Company Center for Global  
Citizenship, Kellogg School of  
Management, Northwestern University

Mayer Brown

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### Northwestern University School of Law

With a substantive focus on two areas, international human rights and the globalization of business, Northwestern University School of Law prepares both domestic and international students for practice in the changing world while the faculty influences leading public policy decisions and debates regarding international human rights and international trade. Established in 1998, Northwestern Law's **Center for International Human Rights** ([www.law.northwestern.edu/humanrights](http://www.law.northwestern.edu/humanrights)) is dedicated to fostering the use and study of international law as a means to defend human rights, democracy, and the rule of law. Founded in 2003, the **Northwestern University Journal of International Human Rights** ([www.law.northwestern.edu/jihr](http://www.law.northwestern.edu/jihr)) is dedicated to providing a dynamic new forum for the vigorous discussion of human rights issues among scholars of all disciplines and perspectives.

### Catholic University of Leuven

Founded in 1425, the Katholieke Universiteit Leuven is one of Europe's leading academic institutions. It is a private, Flemish University of Catholic signature with an international orientation. A center of both research and education in a broad range of fields, K.U. Leuven offers programs that integrate professional training into a broad ethical, cultural and social context of education. Rather than passing on mere factual knowledge, K.U. Leuven promotes the skills of identifying, formulating, and solving problems. Special attention is paid to the steady evaluation of its teaching in order to enhance the student's capacity for independent study, to provide intensive individual guidance and an adequate evaluation system, to ensure high didactic qualities of the teaching staff, and to incorporate the use of new teaching methods and technologies. Additional information is available at [www.kuleuven.ac.be](http://www.kuleuven.ac.be).

# Wednesday, October 24

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All panel events will take place at the Bluhm Legal Clinic on the 8th Floor of the Rubloff Building, 750 North Lake Shore Drive (corner of North Lake Shore Drive and East Superior) of Northwestern University's Chicago campus.

2–3 p.m.

INTRODUCTORY REMARKS

**David E. Van Zandt, Dean**, Dean and Professor of Law, Northwestern University School of Law

## **Setting the Scene — American and European Perspectives on Corporate Human Rights Responsibility**

**David Scheffer**, Mayer Brown/Robert A. Helman Professor of Law and Director, Center for International Human Rights, Northwestern University School of Law

**Jan Wouters**, Professor of International Law and International Organizations and Director of the Centre for Global Governance Studies, Katholieke Universiteit Leuven Faculty of Law

**Daniel Diermeier**, IBM Distinguished Professor of Regulation and Competitive Practice; Director, Ford Motor Company Center for Global Citizenship, Kellogg School of Management, Northwestern University

3–3:15 p.m.

## **What's the Problem? — An Overview of Human Rights Abuses in the World for which MNCs are Being Scrutinized for Responsibility**

**Caroline Kaeb**, PhD candidate, School of International Studies, University of Trento, Italy; Visiting Scholar (2008), Center for International Human Rights, Northwestern University School of Law

3:15–3:30 p.m.

COFFEE BREAK

3:30–4:15 p.m.

## **The Governmental Perspective — What can Government Do to Redress Human Rights Abuses Allegedly Committed Outside the United States by MNCs?**

**Jeffrey R. Krilla**, Deputy Assistant Secretary, Bureau of Democracy, Human Rights and Labor, U.S. Department of State

**Stephen Sawyer**, Clinical Assistant Professor and Senior Counsel, Center for International Human Rights, Northwestern University School of Law

4:15–5 p.m.

## **The Victim's Perspective — What redress exists in U.S. Courts for Victims of Human Rights Abuses in which Corporations are Complicit?**

**Paul L. Hoffman**, Partner, Schonbrun DeSimone Seplow Harris & Hoffman LLP

**Bridget Arimond**, Clinical Assistant Professor and Director, LLM Program for International Human Rights, Center for International Human Rights, Northwestern University School of Law

6 p.m.

COCKTAIL RECEPTION\*

7 p.m.

DINNER\*

INTRODUCTORY REMARKS

**David Scheffer**

KEYNOTE ADDRESS

**Chip Pitts**, President, Bill of Rights Defense Committee; Lecturer, Stanford Law School; Former Board Chair, Amnesty International USA; Former Chief Legal Officer, Nokia Inc.

*\*by invitation only*

# Thursday, October 25

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All panel events will take place at the Bluhm Legal Clinic on the 8th Floor of the Rubloff Building, 750 North Lake Shore Drive (corner of North Lake Shore Drive and East Superior) of Northwestern University's Chicago campus.

8–8:45 a.m.

CONTINENTAL BREAKFAST

9–9:45 a.m.

OPENING ADDRESS

**Gerald Pachoud**, Special Adviser to the Special Representative of the U.N. Secretary-General on the Issue of Human Rights and Transnational Corporations

9:45–10 a.m.

COFFEE BREAK

10–11:45 a.m.

## **Who Has the Duty to Remedy the Abuses — The Policy Arguments**

*Moderator: David Scheffer*

### **The Corporate Perspective**

**Ashish S. Prasad**, Partner, Mayer Brown

### **The European Perspective**

**Paul Lemmens**, Professor of Human Rights, Katholieke Universiteit Leuven Faculty of Law

### **The Governmental Perspective**

**Richard S. Williamson**, Partner, Mayer Brown; former U.S. Ambassador and Alternative Representative to the United Nations for Special Political Affairs; former Ambassador and U.S. Representative to the U.N. Commission on Human Rights

### **The Academic Perspective**

**Steven R. Ratner**, Professor of Law, University of Michigan Law School

11:45 a.m.–1:20 p.m.

LUNCH\*

INTRODUCTION

**Henry S. Bienen**, President, Northwestern University

LUNCHEON ADDRESS

**Honorable Diane P. Wood**, Judge, U.S. Court of Appeals, Seventh Circuit

1:30–3:30 p.m.

## **How Are the Abuses to be Remedied? — A Focus on Effective Remedies**

*Moderator: Stephen Sawyer*

**The Academic Perspective — A Tour d'horizon**  
**Douglass Cassel**, Lilly Endowment Professor of Law and Director, Center for Civil and Human Rights, University of Notre Dame Law School

**Peter Rosenblum**, Lief, Cabraser, Heimann & Bernstein Associate Clinical Professor in Human Rights, Columbia Law School

**Ralph G. Steinhardt**, Arthur Selwyn Miller Research Professor of Law and Director, Oxford Program in International Human Rights Law, The George Washington University Law School

### **The Corporate Perspective**

**Adam Galinsky**, Morris and Alice Kaplan Professor of Ethics and Decision in Management, Kellogg School of Management, Northwestern University

### **The Civil Society Perspective**

**Arvind Ganesan**, Director, Business and Human Rights Program, Human Rights Watch

3:30–3:45 p.m.

COFFEE BREAK

3:45–5:30 p.m.

## **What Role is There for “Soft” Rules? — The Issue Considered from Several Perspectives**

*Overview Perspective and Moderator: Timothy Feddersen*, Wendell Hobbs Professor of Managerial Economics and Decision Sciences, Kellogg School of Management, Northwestern University

### **The International Perspective**

**Matt Kasdin**, former Director of the U.N. Global Compact Office

**Steven Oates**, Sector Coordinator, Standards and Fundamental Principles and Rights at Work; Office of the Executive Director, International Labor Organization

### **The Corporate Perspective**

**Walter H. White Jr.**, Partner, Grundberg Mocatta Rakison LLP

### **The Academic Perspective**

**Cynthia A. Williams**, Professor, University of Illinois College of Law, Urbana-Champaign, Illinois; Visiting Professor and Osler Chair in Business Law, Osgoode Hall Law School, York University

5:30–5:45 p.m.

CONCLUDING REMARKS

**David Scheffer**

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## Symposium on Corporate Human Rights Responsibility Its Growing Relevance and Enforceability

The purpose of the symposium is to identify some of the major legal and policy measures that should be adopted to address effectively human rights abuses for which multinational corporations (MNC), under appropriate legal standards, are beginning to assume responsibility. We will examine the issues from several American and European perspectives, including corporate, governmental, civil society, and academic. First, we will conduct a factual inquiry into abuses of human rights of human rights in the world today for which MNCs are being scrutinized for responsibility. Next, we will examine the policy arguments related to the question of where the responsibility lies to correct the abuses. Then, we will move to a discussion of the mechanisms that are available to correct the abuses and the effectiveness of those devices. Finally, we will consider the role of so-called “soft” rules in addressing human rights violations. Before we close, we will offer some conclusions concerning a recipe for the future regarding corporate human rights responsibility.

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### Transatlantic Dialogue Conferences

This is the sixth annual Transatlantic Dialogue conference, co-sponsored by Northwestern University School of Law and the Catholic University of Leuven, Belgium. The conferences are designed to bring together policy makers and experts from both sides of the Atlantic to explore differing views on important matters of mutual interest. Past conferences addressed the following issues:

The Humanitarian Crises in Darfur and the Democratic Republic of the Congo (2006)

Reforming the United Nations (2005)

International Criminal Justice (2004)

Capital Punishment (2003)

Legal Instruments in the Fight Against International Terrorism (2002)

The first three conferences were held at the European Parliament in Brussels. The 2005 and 2006 conferences were held at Northwestern University School of Law.

The proceedings of the 2002 conference have now been published as *Legal Instruments in the Fight Against International Terrorism: A Transatlantic Dialogue* (Martinus Nijhoff Publishers 2004)

The proceedings of the 2005 conference were published as “The Future of the United Nations in Matters of Security and Human Rights” in the *Northwestern University Journal of International Human Rights* (Volume 4, Issue 1—Symposium 2005), available at [www.law.northwestern.edu/journals/jihr](http://www.law.northwestern.edu/journals/jihr).

The proceedings of the 2006 conference are available through audio and visual recording at <http://www.law.northwestern.edu/news/newsdisplay.cfm?ID=40>. Additionally, papers generated by panelists from this conference were published in the *Northwestern University Journal of International Human Rights* (Volume 5, Issue 2—Spring 2007), available at <http://www.law.northwestern.edu/journals/jihr>.

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*Sixth Annual Transatlantic Dialogue*

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