

Working Paper on Business and Human Rights

The Working Paper *The Private International Law Dimension of the Principles. An Introduction*, written by Veerle Van Den Eeckhout is now available on ssrn.

The abstract reads as follows: “In the reports on Business and Human Rights by John Ruggie, “access to remedies” cq “access to justice” appears to be a key element. Rules of Private International Law can be seen as key factors in achieving access to remedies cq access to justice: PIL rules act like hinges that allow doors - granting access to a specific court and to a specific legal norm - to be opened or to be kept closed; thus, as PIL deals with issues of international jurisdiction and applicable law, PIL rules are of paramount importance in determining access to a specific court and access to a specific legal norm. In his Guiding Principles, Ruggie addresses the responsibility of States for issuing suitable legislation and ‘access to remedies’; it may be well argued that PIL legislation (rules on jurisdiction and applicable law) and the interpretation of this legislation should also be examined in this context. In this article the focus is on the hypothesis that plaintiffs want to bring an action before a EU Member State court. When focusing on this hypothesis, one can observe that at least some PIL-aspects are covered by rules of PIL of European origin - the regulation of some other aspects is still left to the EU- Member States themselves. To what extent do these rules allow or deny access to remedies cq access to justice? In this article, some rules and issues of (mainly) European PIL - both jurisdiction and applicable law - that deserve attention from this perspective will be highlighted in an introductory way.”

The corresponding Power Point Presentation, presented during the Conference “The Implementation of the UN Principles on Business and uman Rigths in Private International Law” at Lausanne (October 2014) is available here.