

MBA in CSR & NGO Management

ELECTIVE COURSE

CSR, Human Rights and International Law

1 Background

On 25 September 2015, the General Assembly of the United Nations adopted UN Resolution 70/1 „Transforming our world: the 2030 Agenda for Sustainable Development“ as a plan for action for people, planet and prosperity, seeking also to strengthen universal peace in larger freedom. Among the visions set out therein „a world of universal respect for human rights and human dignity, the rule of law, justice“ is a key element. The 2030 Agenda is guided by the purposes and principles of the Charter of the United Nations, including full respect for international law. It is grounded in particular in the Universal Declaration of Human Rights and other international human rights treaties. Regarding the implementation of the 2030 Agenda, the UN reaffirms its commitment to international law and emphasises that the Agenda is to be implemented in a manner that is consistent with the rights and obligations of States under international law.

2 Objectives and Contents

(a) This course is designed to provide insights into, and acquaint students with a basic understanding of, the relationship between Corporate Social Responsibility (as a means of achieving or at least supporting Sustainable Development in the business world), Human Rights and how these are protected in international law, and by whom. To that end, this module will focus, by choosing an interdisciplinary approach wherever and to the greatest extent possible, on

- the substance of international human and supranational fundamental rights protection (and how they interrelate with national constitutional guarantees);
- the institutional framework of international human rights treaties;
- the legal protection in case of violations or infringements of human rights and fundamental freedoms; and
- the incorporation of human rights protection at corporate level as part and parcel of CSR and how this incorporation is made public by means of non-financial (integrated) reporting.

(b) More specifically, students will be given the opportunity to familiarise themselves

- at international (UN) level with the International Bill of Human Rights, consisting of the Universal Declaration of Human Rights (adopted in 1948), the International Covenant on Civil and Political Rights (1966) and the International Covenant on Economic, Social and Cultural Rights (1966);
- at supranational / regional level with the European Convention on Human Rights within the institutional framework of the Council of Europe (and the protection of it by the European Court of Human Rights in Strasbourg) on the one hand and, not be confused with it, the Charter of Fundamental Rights of the European Union within the EU institutional framework (as protected by the European Court of Justice in Luxembourg) on the other hand;
- the interfaces of these treaties with the constitutional law of the treaties' member states;
- the initiatives and instruments of implementing human rights obligations at corporate level and in the world of business such as, in particular, the UN Global Compact and the German Sustainability Code;
- the newly introduced non-financial reporting obligations pursuant to Directive 2014/95/EU.

(c) While this course does not aim to provide detailed and in-depth knowledge of international law at law school level, upon its conclusion students will have gained valuable insights into the international legal framework in which NGOs operate and CSR activities may be implemented. This is of crucial importance since all objectives of CSR and NGOs are dependent on the "conformity with the principles of justice and international law" which Article 1 of the UN Charter invokes in order to maintain international peace and security and to foster friendly relations among the nations.