



MAX-PLANCK-GESELLSCHAFT



Universität Hamburg  
DER FORSCHUNG | DER LEHRE | DER BILDUNG



# Corporate Social Responsibility – A Cross-Disciplinary Approach

## Conference

Time: May 6 and 7, 2021 (to be confirmed)

Place: Joachim Herz Stiftung, Langenhorner Chaussee 384, 22419 Hamburg

### Aim and Background of the Conference

Over the last 20 years corporate social responsibility, originally a demand of business ethics for corporate activities, has developed into an object of international soft law. More and more frequently, the issue is addressed by mandatory rules. The United Nations, the International Labour Organization and the Organisation for Economic Cooperation and Development worked out a number of frameworks on topics such as the protection of human rights, labour rights, customer interests and environmental protection, the fight against corruption and bribery but also fair competition and taxation. These documents request lawful and responsible business conduct. The included principles and guidelines are non-binding but have – at least in the EU – gained importance due to the CSR-Directive and its transformation into national laws. Hereunder companies are not obliged to opt for one of the frameworks but have to explain their decision, if they refuse to follow either of them. Furthermore, successively more and more additional mandatory rules are enacted, such as the UK Modern Slavery Act and the EU Regulation on Conflict Minerals (Regulation [EU] No. 2017/821).

The intensified commitment of companies to human rights and general interests is closely related to the globalisation of the economy. In many cases, state regulations were not sufficient to prevent the abuse of different legal standards and to deal with shortcomings in enforcement. At the same time, the obligations on companies represent a shift of responsibilities from public authorities to private actors without democratic legitimacy. Despite of the relevance of the interests at stake, privately owned companies remain part of the economy. They have to act within a legal framework when pursuing their economic interests but cannot substitute public authorities or define public interests.

Corporate social responsibility is part of the academic discussion in public international law, contract and company law and has relevance for labour law and industrial relations. The conference has two main objectives: (1) to merge these often independently led discussions in order to intensify the understanding of the guiding general principles; (2) to identify practical needs arising when transferring the guidelines of corporate social responsibility into practice. It starts with three panels addressing cross-sectional issues regarding the preconditions, functionality and repercussion of corporate social responsibility. The panels focus on (1) the legiti-

macy of non-state actors defining corporate social responsibility standards and its consequences for states as rule-making and law-enforcing entities, (2) the enforcement and self-enforcement of corporate social responsibility standards, and (3) the models of empowerment of private actors in the public interest and their implementation in contract and company law. The second part of the conference focusses on specific practice areas, working out preconditions and obstacles for the transformation of CSR-guidelines. The selected topics are sustainable finance, consumer and employee protection within supply chains, protection of human rights and the definition and implementation of labour standards.

### **Organisation Team**

Prof. Dr. Dr. h.c. Holger Fleischer, LL.M. (Univ. of Michigan)  
 Prof. Dr. Markus Kotzur, LL.M. (Duke)  
 Prof. Dr. Sebastian Mock, LL.M. (NYU)  
 Prof. Dr. Claudia Schubert

### **Preliminary Agenda**

#### **May 7, 2020**

10.30	Registration of Participants
<b>11.00-13.00</b>	<b>Welcome Address</b>
<b>11.15-11.45</b>	<b>Keynote Speech</b>
<b>11.45-13.00</b>	<b>Panel Discussions: CSR and Non-State Actors – Legitimacy and Binding Effect</b>
13.00-14.00	Lunch Break
<b>14.00-16.30</b>	<b>Enforcement and Self-Enforcement of CSR-Standards</b> – Substitution of the State by Private Actors – Enforcement Models of Corporate Social Responsibility Discussion
16.30-17.00	Coffee Break
<b>17.00-18.30</b>	<b>Public Interest in the Responsibility of Private Actors</b> – Models of Empowerment of Private Actors – CSR between the Freedom of Contract and (Public) Responsibility of Private Actors Discussion
19.30	Conference Dinner

**May 8, 2020**

**09.00-10.00**

**Sustainable Finance**

**10.00-11.30**

**Supply Chains**

- The Standard of Knowledge and Ignorance in Supply Chains
- Contractual Power and the Lack of Enforcement in Supply Chains

Discussion

**11.30-12.00**

Coffee Break

**12.00-13.30**

**CSR-Standards and Human Rights – Human Rights and Private Actors**

- Direct Effects of Human Rights on Private Actors
- Private Actors as Guarantors for Human Rights – Adequate or Excessive Demand?

Discussion

**13.30-14.30**

Lunch Break

**14.30-16.00**

**CSR- and Labour Standards**

- Development of CSR-Standards and Collective Actors
- Enforcement of Labour Standards and CSR

Discussion