

Bingham Centre Events

The fundamental rights of companies: Have the European courts got it right?

**Wed 16 November
2016 18.00-20.00**

Registration from 17.30
Followed by a drinks
reception

BIICL,
Charles Clore House,
17 Russell Square, London
WC1B 5JP

2 CPD hours

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On this side of the Atlantic, the question as to the extent to which commercial entities should enjoy fundamental rights has received practically no attention, except amongst competition lawyers. That is despite the steady stream of judgments delivered by the European Court of Human Rights and the Court of Justice of the EU on the issue. International law does not generally recognise that companies can have fundamental rights at all. That is emphatically not the case under the European Convention. The same applies to the Charter of Fundamental Rights of the EU and many or most domestic legal systems where the rule of law applies.

Some argue that companies should enjoy no fundamental rights, but the ruling of the ECtHR in *Yukos v Russia* (in relation to the right to property and to access to justice and to a fair trial) highlight their need for such rights. At the same time, great caution is required to ensure that companies only enjoy fundamental rights to the extent that that is in the public interest (viz. the controversial ruling of the US Supreme Court in *Citizens United*).

This event will explore the question of whether commercial entities should enjoy fundamental rights by way of reference to judgments delivered by the European Court of Human Rights and the Court of Justice of the EU. Though the focus will be on the ECHR and EU Law, there will be brief forays into other legal systems.

Chair

Professor Sir Francis Jacobs KCMG QC, King's College London

Speakers

- **Sir Nicholas Forwood QC**, White & Case, Brussels and former Judge of the General Court of the EU
- **Dr Liza Lovdahl Gormsen**, BIICL
- **Peter Oliver**, Monckton Chambers and External Fellow of the Bingham Centre
- **Judge Paul Mahoney**, former Judge at the European Court of Human Rights

Pricing and Registration

Members:		Non-members:	
Individual	£55	Individuals	£95
Full-time Academic	£35	Full-time Academic	£60
Full-time Student	£25	Full-time Student	£35

N.B. The Academic rate also applies to staff of government and non-profit organisations.

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