

Do Companies have Human Rights?

– The Emerging Jurisprudence in Regional Courts

Bonavero Discussion Group – 11 May 2021

I. Companies do not live and breathe – inconsistencies of a “derivative rights” approach

II. Spread of economic liberalism centred around private business entities

- East African Court of Justice (EACJ) – East African Community (EAC)
- Southern African Development Community Tribunal (SADCT) – Southern African Development Community (SADC)
- ECOWAS Community Court of Justice (ECCJ) – Economic Community of West African States (ECOWAS)
- European Court of Justice (ECJ) – European Union (EU)
- EFTA Court of Justice – European Economic Area (EEA)
- Caribbean Court of Justice (CCJ) – Caribbean Community (CARICOM)

III. Human rights jurisprudence of regional economic courts

1. Expanding judicial control to human rights as general principles of law
2. Normative individualism in regional economic integration: Subject status of human beings *and* companies
3. From human rights to fundamental rights: Rule of law commitment towards companies

IV. Corporate human rights in the Inter-American and in the African human rights systems?