



Comparative Law Research Roundtable Civil Liability for Human Rights Violations

Bonavero Institute of Human Rights, University of Oxford
23-24 October 2020

Call for Contributions

The [Bonavero Institute of Human Rights](#) invites submissions for a **Comparative Law Research Roundtable on Civil Liability for Human Rights Violations** and a subsequent **edited publication**. The Research Roundtable will take place on **23-24 October 2020** at the Bonavero Institute of Human Rights in **Oxford, UK**.

Background Information

Criminal liability for international crimes and gross human rights abuses has been the subject of extensive research. By comparison, the possibility of bringing civil claims for human rights violations remains underexplored. Yet, in many jurisdictions the domestic law – particularly the law of tort/delict – is being used by litigants to seek to impose civil liability for human rights violations, and the law in several jurisdictions has seen development in the last decade. The Bonavero Institute has been awarded a grant by the [Oak Foundation](#) to study civil liability for human rights abuses in various jurisdictions (“**Project**”).

The key focus of the Project is to analyse the substantive legal rules relevant to determining when civil claims to hold perpetrators of human rights violations to account will succeed. The proposed research questions (“**Research Questions**”) cover, for example, (i) existing civil causes of action for human rights violations, including torts and/or delicts; (ii) the elements of civil liability under existing causes of action; (iii) parent company’s liability for the wrongful acts of its subsidiaries or other associates; (iv) rules governing vicarious and accessory liability, etc. Questions relating to jurisdiction and procedural matters such as rules of disclosure, standing, costs, and the possibilities of class actions fall outside the scope of the Project. The Project thus concerns a comparative survey of the legal systems of several jurisdictions (“**Focus Jurisdictions**”) and in particular the relevant principles of each jurisdiction for bringing civil claims against states, corporations and individuals. The Project also seeks to explore in particular the scope of liability in each jurisdiction in relation to three specified categories of common human rights abuses (i.e. assault or unlawful arrest and detention of protesters, environmental pollution, and harmful or unfair labour conditions). Further details on the scope of the Project and the Research Questions will be provided to the selected contributors in due course.

The Focus Jurisdictions currently under consideration are Argentina, Australia, Bangladesh, Brazil, Canada, China, Colombia, France, Germany, Ghana, India, Kenya, Malaysia, the Netherlands,



Philippines, Russia, Senegal, Singapore, South Africa, Sudan, Switzerland, Thailand, Tunisia, the United Kingdom and the United States of America. This list is only indicative. The final list of the Focus Jurisdictions will be determined at a later stage of the Project.

Call for Contributions

The Research Roundtable will seek to explore the challenges and opportunities for using civil claims as a mechanism for human rights accountability. The Bonavero Institute encourages scholars to submit contributions discussing the substantive legal rules governing civil liability for human rights violations in a particular jurisdiction. Each contribution should take a form of a country study and discuss the relevant regulatory framework of only one jurisdiction. Multi-authored papers with up to 3 co-authors are welcomed. Applicants from any jurisdiction in the world are encouraged to apply. Limited funding will be available to cover, possibly only partially, economy-class travel costs to attend the Research Roundtable, if authors do not have other sources of funding for research travel.

Application Process

To apply, please send the following documents in one PDF file to bonaveroroundtable@law.ox.ac.uk by **12 noon (GMT), Friday 10 January 2020**:

1. Completed application form (attachment);
2. Proposal of no more than 1000 words explaining how you will approach the country study of a selected jurisdiction and highlighting recent developments in the law governing civil liability for human rights violations;
3. CV of no more than 2 pages including a list of publications.

Publication of Contributions

Contributions presented at the Research Roundtable will be considered for publication as part of an edited volume. Participants will be expected to make their contributions available for publication in the edited volume.

Deadlines

- Selection of contributions: 31 January 2020
- Delivery of full drafts: 1 June 2020
- Circulation of editors' comments: 20 July 2020
- Delivery of the revised drafts: 14 September 2020
- Presentation of contributions at the Research Roundtable in Oxford: 23-24 October 2020
- Final papers: 15 November 2020
- First complete draft of the edited volume: December 2020
- Peer-review, finalisation and publication of the edited volume: 2021

Contact

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