



CORPORATE CAPTURE PROJECT

ADDRESSING CORPORATE INTERFERENCE IN ACCESS TO JUSTICE: PERSPECTIVES FROM THE GROUND

29 November
13:30 - 14:45

Palais des Nations
Room XXVII

More information about our project at:
escr-net.org/corporatecapture

2017 United Nations Forum on
Business and Human Rights

Parallel Session

- ✘ How has **judicial interference** impacted effective access to remedy for victims in concrete cases of **human rights violations involving corporations?**
- ✘ Where have **civil society-led strategies** begun to expose and overcome this phenomenon?
- ✘ How can **champions** within the state and corporate spheres **get involved** in combating judicial interference?

Speakers and more information on back >>

SPEAKERS

Fernanda Hopenhaym (Moderator) – **PODER**, Mexico

Maria Eugenia Trombini – **Terra de Direitos**, Brazil

Astrid Perry – **Leigh Day** – Sierra Leone/United Kingdom

Glacy Macabale – **Defend Job** – Philippines

Francisca Garcia – **Comités de Cuenca Río Sonora (CCRS)** – Mexico

Surya Deva – *UN Working Group on Business and Human Rights Chair*

BACKGROUND

Accessing justice is often a challenge for victims of human rights violations, particularly in the Global South. In confronting human rights violations involving corporate actors, these challenges are increasingly present, mainly due to corporate capture. Corporate capture refers to the means by which an economic elite undermine the realization of human rights and the environment by exerting undue influence over domestic and international decision-makers and public institutions. One of the elements that define this phenomenon is judicial interference.

Judicial interference is the influence corporations exert over the proceedings and rulings of courts which provide favorable outcomes for corporations and undermine due process and efforts at seeking access to remedy and accountability.

This session will examine different examples of judicial interference, and the strategies being utilized by civil society organizations and communities to challenge this form of corporate capture of government institutions and decision-making. Due to the vast power imbalance between companies, governments and communities, it is particularly important to identify when judicial interference is happening and therefore obstructing access to remedy, and promote independent and reliable judicial systems worldwide.

SESSION OBJECTIVES

This session will explore concrete examples and wider trends of judicial interference that are preventing victims' access to remedy in countries across different regions. Representatives will discuss the challenges and opportunities to effectively confronting judicial interference and ensuring access to justice for violations of human rights involving corporations.

SESSION FORMAT AND CONTENT

The session has been conceived as an interactive panel, with a dynamic question and answer format between the moderator and speakers for the first 60 minutes, allowing them to address the key elements of judicial interference and emerging strategies to ensure access to remedy. In the final 20 minutes of the session, the moderator will open the discussion to questions and interventions from the audience, ending with a final comment from each speaker.



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