

**HOT TOPIC CLASSES
EU RISK REGULATION
CORPORATE SOCIAL RESPONSIBILITY**

SUBJECT DETAILS

Data on the subject	
Name	Hot Topics: Seminar on <u>“EU Risk Regulation”</u>
Degree	Postgraduate in Master in International and European Business Law
Year	2014-2015
Nature	Spring
ECTS Credits	1
Department	Law
Area	Law
Teaching staff	Juan Diego Ramírez-Cárdenas Díaz

Data on the teaching staff	
Teaching staff	Juan Diego Ramírez-Cárdenas Díaz
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Tutoring Schedule	Upon request from students

SPECIFIC DATA ON THE SUBJECT

Background of the subject of the seminar
<p>Modern societies are characterized by their high degree of regulation. Regulation influences heavily the work of governments and legislators who, with an input coming from the scientific community, establish regulatory standards whose purpose is, for example, to settle the technical requirements for the elaboration of a certain product, to establish certain standards of quality in the provision of a service, to ensure the respect of certain objectives of public interest (i.e. the protection of consumers or the environment) which could be affected by the exercise of a certain economic activity and, finally, avoid the risks that the use of new technologies could entail.</p> <p>Regulation also impacts in a considerable manner on the work of economic operators and on the flow of economic transactions, who are meant to respect the fixed regulatory standards, in their production activities or whenever they render a supply a certain service. The non-respect of the established regulatory requirements can be sanctioned by administrative and judicial authorities, giving rise to contractual and non-contractual liability.</p>

Finally, the EU constitutes the most advanced regulated economy and society in the world, and EU regulatory standards are considered to be of reference value in international trade. They also influence EU candidate countries in their legal approximation processes to EU legal requirements.

COMPETENCES TO BE IMPROVED

Generic Competences

Instrumental

Synthesize and analyse information. Solve complex legal controversies. Propose and argue solutions

Interpersonal

Work individually and in groups

Systemic

Engage in discussion. Negotiate and compromise

Specific competences of the subject

Conceptual (knowing)

At the end of the seminar, students will have acquired:

- An understanding of the concept of regulation
- A comprehension of the reasons explaining the necessity for a regulatory intervention in certain fields of public policy
- A clear overview of the number of actors that intervene in regulation
- An overview of the number of choices and dilemmas that the regulator confronts when exerting its regulatory power and a reference guide on how to address these different situations
- An improved knowledge on how to use various techniques and tools to set regulatory standards
- An awareness on how the EU proceeds itself to regulation and on the necessity to take EU regulatory requirements into consideration by Member States in the legislative and executive work of their administrations
- An understanding of the different procedures to subject regulatory activity to judicial review

MAIN CONTENT AND THEMATIC AREAS

MAIN CONTENT

The contents of the seminar have been conceived to answer three fundamental questions on the matter of regulation: what is regulation? Who can regulate and how to do it?

The answers to these three queries will be formulated both from the point of view of general regulation and from the particular standpoint of the EU, since this organization has developed particularly perfected regulatory strategies and tools.

In a sequential manner, the program presents the following components:

- In the first place, an understanding of the concept of regulation will be provided and the motivations which justify the necessity for a regulatory intervention in certain fields of public policy

will be analysed.

- Then, a reference to actors that intervene in regulation and the description of the dilemmas that the regulator confronts when exerting its regulatory power will follow.
- As third content element, the seminar will feature a toolkit of the various techniques and tools to set regulatory standards.
- As a last element, the different mechanisms that exist for the jurisdictional review of regulatory action will be discussed

Beyond the pure description, the seminar will explore the above contents from an analytic point of view, trying to highlight the practical implications of each. This is why the different sessions in the seminar will be illustrated with examples stemming from the regulatory practice of a number of policy areas (environment, food safety, etc.).

Thematic Areas

1. What constitutes regulation?
2. Why does the regulator regulate?
3. Why is the EU a regulator?
4. What is the main object of regulation? Risk, as the main reason for regulatory work
5. How to regulate? Overview of regulatory tools
6. How to regulate? Enacting regulation through legal instruments
7. Who controls the regulator? Judicial review of regulatory decisions

TEACHING METHODOLOGY

General methodological aspects of the subject

Contact hours methodology: Activities

This seminar will be much more than a theoretical /awareness raising event; it will also have quite a practical nature. Its pragmatism will be assured through reference to numerous illustrations taken from the EU's regulatory activity.

From a methodological point of view, the seminar will follow an interactive format, combining lectures and class presentations with three different interactive elements:

- A brainstorming session / class discussion;
- Simulation exercise;
- A case study.

At these interactive elements of experiential learning, participation of the students is required, who will intervene under the guidance of the professor, who will provide comments and final feedback.

Independent study methodology: Activities

Although each student is supposed to structure his / her individual study autonomously, using the seminar syllabus as a guideline, and taking into consideration the advice of the professor on the first day of the seminar, the following recommendations can be formulated:

- In preparation to the seminar, students are invited to read PP presentations which will be published

online beforehand;

- Once the seminar has taken place, revision of PP presentations and notes taken during lessons is the best way to know what concepts matter more and to prepare for the final examination. The professor could provide reading references complementing the course content to those students wishing to undertake supplementary research.

SUMMARY OF STUDENT WORK HOURS			
Activity	Number of contact hours	Number of independent study hours	Total number of hours
Lecture	6	10	16
Brainstorming session / Class discussion	1	1	2
Simulation exercise	2	2	4
Case study	1	2	3
Evaluation: exam		15	15
ECTS Credits:	1		

GRADE EVALUATION AND CRITERIA

Evaluation Activities	Generic Competences	Indicators	Evaluation Weighting
Practical exercises (brainstorming session / lass discussion, simulation exercise, case-study, etc.)		Depending on the type of practical exercise, the following indicators will be taken into consideration: <ul style="list-style-type: none"> • Capacity of analysis, prioritization of right content, ability to find solutions • Oral presentation skills, and clarity of statements and content presented • Logic and persuasiveness of the student’s arguments, reactivity to other students; opinions and ability to listen • Team spirit and cooperative attitude within the class group 	40%
Evaluation: exam / written assignment		Degree of assimilation of course contents and capacity to present own analysis	50 %
Attendance		Presence	10%

SUBJECT DETAILS

Data on the subject	
Name	Corporate Social Responsibility Clinic and Human Rights
Degree	Postgraduate in Master in International and European Business Law
Year	2015-2016
Nature	Clinic /Fall
ECTS Credits	1
Department	1
Area	1
Teaching staff	Maheta Molango

Data on the teaching staff	
Teaching staff	Maheta Molango
Group	
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Telephone	670970992
Office	
Tutoring Schedule	Upon request from students

SPECIFIC DATA ON THE SUBJECT

Pre-requisites

Basic legal background and basic understanding of general features of Corporate Social Responsibility programs.

Contribution of the degree to the professional profile

Raising awareness about an increasingly important and global phenomenon such as CSR which plays a key role in companies' compliance programs, as well as in its business/marketing strategies. CSR as a new possible professional opportunity for the students.

COMPETENCES TO BE IMPROVED

Generic Competences

Instrumental

Understanding the functioning of online research tools linked to CSR issues and being able to use efficiently the research resources made available by the university.

Interpersonal

Improving team work skills, understanding the importance of interpersonal relationships within the framework of a professional environment, learning to manage internal/external client relationships.

Systemic

Assessing and understanding the impact of a specific CSR issues on a company's broader strategy or/and business operations.

Specific competences of the subject
Conceptual (knowing)
Basic understanding and analysis of key CSR regulations and practical guidelines. Comparative analysis of applicable EU and local regulations.
Procedural (doing)
Based on the concepts learned during the class, implementation through in-class debates and presentations. In addition, presentation to Baker & McKenzie's CSR committee of innovative CSR proposal by the students.
Professional (knowing how)
Implementing/adapting theoretical knowledge to specific real life circumstances. Focus on practical cases linked to real CSR policies of important companies.

THEMATIC AREA AND CONTENT

AREA 1: Key CSR Concepts and Guidelines
Theme 1: Introduction: European and International Approach to CSR
1.1 Why talking about Corporate Social Responsibility now? 1.2 Applicable legal framework at EU and local level 1.3 Best practices at EU and local level 1.4 The European Alliance for CSR: 2006 - 2011
Theme 2: Global Focus on CSR: Implications for Enterprises
2.1 CSR Management: plan, do, check & act

2.2 The direct and indirect benefits of CSR
2.3 Triple bottom-line concepts of CSR: economic, social and environmental responsibility
2.4 In-class analysis and debate related to "corporate irresponsibility"
Theme 3: European Perspective on CSR: a Renewed EU Strategy 2011-2014
3.1 A modern understanding of CSR
3.2 The multidimensional nature of CSR
3.3 The role of Public Authorities and other stakeholders
Theme 4: European Union Action Plan
4.1 Enhancing the visibility of CSR and disseminating good practices
4.2 Improving and tracking levels of trust in business
4.3 Survey results on how companies influence our society: citizens' view
4.4 Improving self- and co-regulation processes
4.5 Integrating CSR into education, training and research
AREA 2: Practical Implementation of CSR Regulations
Theme 1: Case Study
1.1 Comparative analysis of CSR policies of various companies
1.2 In-class debate and presentations
Theme 2: Presentation of Innovative CSR Project
2.1 Presentation of innovative CSR project to Baker & McKenzie's CSR committee
2.2 Assessment of the student presentations by Baker & McKenzie's CSR committee

BIBLIOGRAPHY AND RESOURCES

Basic Bibliography
Text books

Just Business: Multinational Corporations and Human Rights. Author: John Gerard Ruggie
The New Sustainability Advantage: Seven Business Case Benefits of a Triple Bottom Line. Author: Bob Willard

Pieces of legislation / guidelines

OECD Guidelines for Multinational Enterprises
Ten principles of the United Nations Global Compact
ISO 26000 Guidance Standard on Social Responsibility
ILO Tri-partite Declaration of Principles Concerning Multinational Enterprises and Social Policy
United Nations Guiding Principles on Business and Human Rights

Articles

http://economix.blogs.nytimes.com/2014/02/07/the-challenges-of-running-responsible-supply-chains/?_php=true&_type=blogs&_r=0
<https://www.euroweeklynews.com/news/mallorca/item/118885-coca-cola-workers-protesting-against-closing-factories>
<http://www.dailymail.co.uk/news/article-2284141/IKEA-meatballs-contain-horsemeat-Store-admits-selling-contaminated-food-Britain.html>
http://elpais.com/elpais/2014/02/19/inenglish/1392813798_164052.html
<http://www.forbes.com/sites/jacquelynsmith/2013/10/02/the-companies-with-the-best-csr-reputations-2/>

Websites

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0681:FIN:EN:PDF>

Spain: http://ec.europa.eu/public_opinion/flash/fl_363_fact_es_en.pdf
United Kingdom: http://ec.europa.eu/public_opinion/flash/fl_363_fact_uk_en.pdf
Germany: http://ec.europa.eu/public_opinion/flash/fl_363_fact_de_en.pdf
Sweden: http://ec.europa.eu/public_opinion/flash/fl_363_fact_se_en.pdf
United States: http://ec.europa.eu/public_opinion/flash/fl_363_fact_us_en.pdf

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TEACHING METHODOLOGY

General methodological aspects of the subject
Contact hours methodology: Activities
Independent study methodology: Activities

SUMMARY OF STUDENT WORK HOURS			
Activity	Number of contact hours	Number of independent study hours	Total number of hours
Lecture	2	10	7
Practical class			
Debate	3	5	6
In class presentation	5	20	15
Individual work			
Work in collaboration			
Evaluation: one minute paper			
Evaluation: class test			
Evaluation: exam			
Evaluation: exam review			

Others			
ECTS Credits:			

Grades

10% Attendance

40% Continuous evaluation which will be broken down as follows:

- 30% In-class presentations in groups of 3-4 students about a CSR program selected by each group of students. Key elements to be assessed will be (i) sources used to analyze the CSR program, (ii) relevance of the program selected taking into account the issues discussed in class, (iii) quality of the presentation as well as materials used.
- 10% In-class debates linked to the presentations made by the different groups.

50% Final exam: Presentation of innovative proposal to Baker & McKenzie CSR Committee. Presentation will be done in groups.