

Research note n° 3

Report on the Visiting Scholar Programme

Danielle Pamplona

September 2024

Cláudia Alvarenga Marconi

Co-Director

Rafael de Souza Nascimento Miranda

Co-Director

Isabela Agostinelli dos Santos

Technical Staff

Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Education and Culture Executive Agency (EACEA). Neither the European Union nor EACEA can be held responsible for them.

Address

Av. da Liberdade, 532 - Liberdade, São Paulo - Brazil

Contact Information

Call: +55 11 32722317

Email: europa@fecap.br

Instagram: [@jeanmonnetfecap](https://www.instagram.com/jeanmonnetfecap)

LinkedIn: <https://www.linkedin.com/company/coe-bhr/>

[www. Bhr.fecap.br](http://www.Bhr.fecap.br)

From 16 to 19 September 2024, I participated in the Visiting Scholar Programme of the Jean Monnet Centre of Excellence at Fundação Escola de Comércio Álvares Penteado (FECAP), following an invitation from Professor Claudia Marconi. The visit provided an opportunity to engage with the Centre's academic community, including undergraduate and graduate students, faculty members, and researchers working on issues related to human rights, corporate accountability, and the implementation of international standards in Brazil. During the programme, I delivered two lectures to students and held one academic exchange session with faculty members. The activities and their main contributions are summarized below.

1. The Current Political and Legislative Development of Business and Human Rights in Brazil

17 September 2024 | Lecture for students

This lecture examined the current stage of political and legislative developments concerning business and human rights in Brazil. It was structured around the gradual incorporation of the United Nations Guiding Principles on Business and Human Rights into Brazilian public policy debates, the growing relevance of mandatory human rights due diligence, and the relationship between domestic initiatives and emerging international regulatory trends.

The presentation addressed the principal institutional and legislative challenges faced in Brazil, including the need to define the scope of corporate duties, identify the companies and economic activities that should be covered, and establish effective mechanisms for prevention, monitoring, enforcement, and access to remedy. Particular attention was given to the tension between voluntary corporate commitments and binding legal obligations, as well as to the importance of meaningful participation by affected communities and workers.

The discussion with students focused on how Brazil's complex federal structure, social inequalities, and dependence on extensive supply chains influence the design and implementation of business and human rights regulation. The session also encouraged students to consider the role of legal professionals, civil society organizations, public institutions, and universities in strengthening corporate accountability and promoting rights-compatible economic development.

2. Academic Exchange on Human Rights Clinic Projects and Opportunities for Convergence

18 September 2024 | Meeting with faculty members

The second activity consisted of an academic exchange with FECAP faculty members on the projects currently being carried out by the Human Rights Clinic at the Pontifical Catholic University of Paraná (PUCPR). The purpose of the meeting was to present the Clinic's main lines of work, compare institutional experiences, and identify areas in which research, teaching, and community-engagement initiatives could converge.

The conversation explored the value of clinical legal education as a method for connecting academic research with practical human rights challenges. The projects were discussed not only in terms of their substantive themes, but also with regard to methodology, student participation, interdisciplinary collaboration, engagement with external stakeholders, and the production of concrete outputs capable of supporting advocacy, public policy, and access to justice.

The exchange highlighted potential opportunities for cooperation between the institutions, including joint research activities, seminars, student participation in collaborative projects, comparative studies, and the sharing of teaching and clinical methodologies. The meeting contributed to strengthening academic dialogue and to identifying complementary expertise that may support future initiatives in the fields of business and human rights and human rights education.

3. Challenges in Implementing Human Rights Due Diligence in Complex Supply Chains in Brazil

19 September 2024 | Lecture for students

The final lecture addressed the practical challenges of implementing human rights due diligence in Brazil, particularly in complex and multi-tiered supply chains. The session introduced due diligence as an ongoing risk-management process through which companies should identify, prevent, mitigate, monitor, and communicate how they address actual and potential adverse human rights impacts.

The lecture emphasized that implementation becomes especially difficult when companies operate through extensive networks of suppliers, contractors, intermediaries, and business partners. In the Brazilian context, these difficulties may be intensified by informality, limited traceability, geographical distance, unequal bargaining power, weak access to information, and the presence of vulnerable workers and communities in sectors exposed to significant social and environmental risks.

Students were invited to reflect on the limits of audit-based approaches and on the need for due diligence systems that include meaningful stakeholder engagement, effective grievance mechanisms, reliable data, contractual leverage, remediation strategies, and governance structures capable of integrating human rights considerations into business decisions. The discussion also addressed the importance of proportionality and prioritization, while stressing that complexity should not be used as a justification for inaction.

Concluding Remarks

Participation in the Visiting Scholar Programme created a valuable space for dialogue between legal scholarship, clinical education, and the practical challenges of corporate respect for human rights. The programme enabled the exchange of perspectives with students and faculty members and contributed to identifying opportunities for continued academic cooperation. It also confirmed the importance of combining legislative analysis, applied research, and educational initiatives in order to advance the business and human rights agenda in Brazil.

ABOUT THE AUTHOR

She was a Visiting Scholar at the Bonavero Institute of Human Rights, University of Oxford (2022), and at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg (2019). She conducted postdoctoral research at the Washington College of Law, American University, in Washington, D.C. (2015–2016). She holds a PhD from the Federal University of Santa Catarina (UFSC), a Master's degree from the Pontifical Catholic University of São Paulo (PUC-SP), and a law degree from the Federal University of Paraná (UFPR). She is a Full Professor in the undergraduate Law Programme and the Graduate Programme in Law (PPGD) at the Pontifical Catholic University of Paraná (PUCPR), where she coordinates the Human Rights Clinic. She also serves as Co-President of the Global Business and Human Rights Scholars Association.

