



## ROME UNIVERSITY LECTURER LECTURES AT IMLI

Dr. Fiammetta Borgia (Lecturer in International Law at Faculty of Law, University of Rome “Tor Vergata”) visited the Institute and lectured on “The Role of Non-State Actors in International Law”.

In her lecture, Dr. Borgia explained that while States remain the preminent actors in international law, the balance of powers in the international community has changed. After the Second World War, new actors have emerged at the international level, such as public international organizations established by States (IGOs), non-governmental organizations (NGOs) created by individuals, multinational corporations and even individuals subjects. Thus, such organizations and multinationals are currently playing a key role in international law.

Dr. Borgia provided the students with a historical background, discussed the legal personality of NGOs and multinationals and explained that “*In spite of their relevance in international relations, NGOs and Multinationals have no international legal personality. The lack of autonomy and independence from States does not allow their recognition as subjects of international law. However, considering their key role in the international community, some scholars identify limited and functional international legal personality*”.

Regarding the impact of the activity of non-state actors in international law, Dr. Borgia emphasized the participation of NGOs in the normative function of international law, particularly in the field of cooperation, human rights protection, environmental and humanitarian law as well as their key role in the implementation of international law through awareness campaigns and their participation in dispute settlement.

Dr. Borgia explained also the efforts of international law to regulate the activities of multinationals. In particular she referred to the United Nations Draft Code on Transnational Corporations, the International Labour Organization’s Tripartite Declaration, the Organization for Economic Co-operation Development Guidelines for Multinational Enterprises, the Global Compact Initiative and the United Nations Draft Norms on Human Rights stressing the “*role of soft law in shaping a control framework on Multinationals*”. She concluded by affirming that “*Globalization of the world economy has increased the opportunity for Multinational Corporations to avoid legal control frameworks, especially on issues such as human rights,*

*environment, labor standards. In this context, NGOs play a key role in highlighting the lack of control on MNCs pushing States to regulate economic activities pursued by Multinational Corporations. In spite of their nature as non-State actors, international scholars cannot ignore the role of NGOs and Multinational Corporations in international law. NGOs take part - although indirectly - in the three functions of the international legal order (normative, implementation and dispute settlement) and Multinational Corporations are called to respect the fundamental international rules (human rights, environment and labor standards) in order to avoid the Corporate Social Responsibility”.*



*Dr. Fiammetta Borgia meeting students of the Class of 2012/2013*

Dr. Fiammetta Borgia was awarded her Law Degree and Ph.D. Degree in International Law at the University of Rome "Tor Vergata". She is currently a Lecturer of International Law at the University of Rome "Tor Vergata" and at European University of Rome, where she is also in charge of the course of International Economic Law. She is a practicing lawyer of corporate and international law.

Her main research interests are public international law, law of the sea, human rights and international economic law, with particular focus on multinational corporations, corporate social responsibility and soft law.

She recently wrote a monograph on "The legal regime of Arctic". Her other publications include a book on "Corporate Social Responsibility of Multinational Corporations", as well as various articles on public international law, international economic law, international private law and law of the sea.

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