SustainEUorPlanet Seminar Cycle

Business & Human Rights – The EU Approach

"Human Rights Due Diligence from the UNGPs to the CS3D: Is the Clock Still Ticking"?

Prof. Ludovica Chiussi Curzi, Associate Professor, Member of the SustainEUorPlanet Research Team, University of Bologna
5 May 2025, h. 17-19 (CET), AULA P BELMELORO, Via Beniamino Andreatta, 8 - Bologna

"The Binding Path: A Decade of Negotiations of a Treaty on Business and Human Rights"

Prof. Ludovica Chiussi Curzi, Associate Professor, Member of the SustainEUorPlanet Research Team, University of Bologna
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Abstract "Human Rights Due Diligence from the UNGPs to the CS3D: Is the Clock Still Ticking"?: Endorsed by UN Human Rights Council Resolution 17/4 in 2011, the UN Guiding Principles on Business and Human Rights (UNGPs) introduced Human Rights Due Diligence (HRDD) as a voluntary standard of responsible business conduct. Over a decade later, the EU Corporate Sustainability Due Diligence Directive (CS3D) aims to translate such standard into a binding commitment. Yet, the recent adoption of the "Stop the Clock" Directive in April 2025 has delayed the implementation of the CS3D, raising new questions about political will, regulatory fragmentation, and the future of corporate accountability. This lecture examines the legal and normative evolution of HRDD, assessing whether the shift from soft to hard law is stalling, or merely recalibrating.

Abstract "The Binding Path: A Decade of Negotiations of a Treaty on Business and Human Rights": Adopted by UN Human Rights Council Resolution 26/9 in 2014, the process toward an International Legally Binding Instrument on Transnational Corporations and Other Business Enterprises with Respect to Human Rights marked a turning point in the Business and Human Rights agenda. This lecture reflects on the progress, challenges, and normative tensions that have shaped the negotiations of the Legally Binding Instrument, exploring its potential in shifting the paradigm from voluntary commitments to binding obligations.

Prof. Ludovica Chiussi Curzi: Associate Professor of International Law at the University of Bologna, Department of Legal Studies, and Lead Trainer of the course "Human Rights and the Environment" at the Geneva Academy of International Human Rights and Humanitarian Law. She has been a Visiting Fellow at the Lauterpacht Centre for International Law (University of Cambridge), the Columbia Center on Sustainable Investment (Columbia University, New York), and Sciences Po Law School (Paris).
Ludovica regularly assists States before international courts and tribunals. Since 2020, she has served as an Expert to the Office of the State Attorney of the Republic of Italy in proceedings before the European Court of Human Rights and in investor-State arbitration.

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