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Seminar organized by Ph.D Programme in Labour, Development and Innovation
UNIMORE – FMB

Hardening of soft law in the context of the due diligence directive

Wednesday 25 May 2022, 15,00 - 17.00

Marco Biagi Foundation • L.go Marco Biagi 10, Modena

Introducer

Iacopo Senatori

Economics Department Marco Biagi, University of Modena and Reggio Emilia

Speaker

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Abstract

The idea that transnational enterprises are responsible for the social and environmental impacts of their business operations is something that gained ground during the 1990s. Often triggered by a disaster or scandal, these enterprises started to make statements that they value human and labour rights and the environment. This practice became known as corporate social responsibility (CSR) or responsible business conduct (RBC), and currently, Environment, Social, Governance (ESG). However, a statement alone is not going to prevent disasters or scandals from happening, like the collapse of the building on Rana Plaza in Bangladesh in April 2013, resulting in the death of over 1100 workers and many more getting seriously injured. Therefore, next steps in CSR/RBC/ESG include monitoring of the social and environmental activities of transnational enterprises. The latest development in this is human rights due diligence (HRDD). HRDD is a form of risk management that is introduced by the United Nations, strongly promoted by the Organization of Economic and Cooperative Development (OECD) and embraced by various states within the European Union (EU), as well as the EU itself with its proposal for mandatory HRDD. During the seminar we will trace this development which can be labelled as "hardening of soft law" and discuss whether this is a desired development: has HRDD put us on a path of the regulation of "rules without rights"?

The seminar is open and the participation is free.

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