



RESEARCH PROJECT

**“Rethinking Corporate Human Rights Due Diligence
Obligations”**

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Deve Understanding Corporate Obligations Relating to Human Rights in a Changing Legal Landscape

Stephanie Regalia is a doctoral researcher in the international doctorate programme on Business and Human Rights at Friedrich-Alexander-Universität Erlangen-Nürnberg (FAU) and Université Paris 1 Panthéon-Sorbonne under a cotutelle agreement. Her project explores how recent European human rights due diligence laws – such as the French Duty of Vigilance Law (2017), the German Supply Chain Act (2021), and the EU Corporate Sustainability Due Diligence Directive (CSDDD, 2024) – are reshaping what companies are legally obliged to do.

From Conduct to Results

Traditionally, legal scholars distinguish between obligations of conduct (to act diligently) and obligations of result (to achieve a specific outcome). Many observers have treated corporate human rights due diligence as purely obligations of conduct. Yet, Regalia identifies “effectiveness requirements” in the new European laws: companies must show that their measures are not only implemented in the organization but also effective. This raises the question of whether businesses are required to prove actual results, not just effort.

A Comparative Perspective

To answer this, the project compares how “effectiveness” is understood in related fields: anti-corruption compliance and international human rights law. While civil law traditions often see effectiveness as leaning towards obligations of result or shifting the burden of proof, international law sometimes treats strict conduct requirements as the higher standard, especially where State sovereignty is at stake.

Towards a New Typology of Corporate Obligations

Regalia argues that multinational companies, like States, are complex actors (complex legal persons) and cannot be treated simply as private individuals in legal theory. Their due diligence obligations may therefore combine elements of both conduct and result. Ultimately, how courts and regulators choose to interpret effectiveness will shape the standards of corporate governance in the field of human rights.

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