Roundtable (hybrid)

Human Rights, Environment, and Business: Compliance and responsible conduct as competitive advantages

Human Rights and Environmentally Responsible Business Practices project

2 October 2025
9.00 – 12.30

For in-person participation:

Paris
CMS Francis Lefebvre
2 rue Ancelle
92200 Neuilly-sur-Seine
France

For online participation:

Background and objectives

This round table will bring together business representatives and legal experts to exchange on the latest developments affecting businesses. The discussions will be focused on two elements: (1) **sustainability standards** and the opportunities they represent for businesses, and (2) business **due diligence obligations**.

International **sustainability standards** offer businesses the opportunity to strengthen their own practices by aligning with established human rights and environmental norms. This discussion will provide an overview of how these standards have evolved and their significance for states, societies, individuals, businesses, and insurers.

Human rights protection mechanisms established in the 20th century (European Court of Human Rights (ECtHR), Council of Europe (CoE) monitoring bodies, and UN monitoring mechanisms) serve as a barrier against democratic and rule-of-law backsliding. While states have initially assumed responsibilities to protect human rights and are expected to take concrete actions, the role of businesses in human rights and environmental protection is expanding.

States' obligations to protect human rights also extend to relations between private actors (positive obligations). Consequently, states must adopt and enforce regulations, addressing gaps that may arise, particularly in response to new social and economic developments and unforeseen challenges. The fulfilment of these positive obligations often has a direct impact on businesses.

In this context, while European legislative initiatives are challenged or diluted, justice systems in Europe and beyond continue shaping business obligations in these areas. Courts rely on civil liability principles, due diligence laws, international human rights standards, environmental norms and international standards in the questions of the businesses' due diligence. Some landmark cases demonstrate how judicial decisions strengthen the practical application of the **due diligence obligations** introduced by legislators.

Effective due diligence is essential for identifying, preventing, and mitigating risks related to human rights and environmental impacts. Leveraging expertise from existing compliance frameworks (anti-corruption, AML, and the French Duty of Vigilance Law) can significantly strengthen human rights and environmental due diligence.

The evolving legal landscape on human rights and environmental protection and due diligence of business acts as a safeguard and can create a **competitive advantage**, providing assurance to leadership teams, enabling them to enter and operate in challenging markets with greater confidence, backed by risk mitigation measures.

In the first part of the roundtable the speakers will explore **courts assessments** of companies' compliance programmes and their replies to alleged violations (though remedies and harm compensation). In particular, the following elements will be touched upon:

- Real implementation: ensuring that compliance programmes are genuinely implemented, resourced, and embedded in operations
- Mitigation: strong programmes as means to reduce harm
- Benchmarking: UN, OECD, COE instruments and ISO standards (e.g. ISO 37301, ISO 26000)
- Anticipation: proactive identification and mitigation of foreseeable risks

In the second part of the roundtable the speakers will explore the following questions:

- Integrating due diligence requirements into legal and compliance departments
- Sector-specific examples: energy, finance, and agrifood
- Effective internal investigations: how to conduct and document to meet both regulatory and judicial scrutiny
- The role of insurance (D&O, liability, ESG-linked products) in supporting corporate resilience
- How ESG and human rights compliance can improve insurance terms and investor confidence

1. Standards and requirements for human rights compliant business practices

Moderation: Tigran Karapetyan, Head of Division Transversal Challenges and Multilateral Projects, Council of Europe and Elena Yurkina, Head of Innovative Solutions for Human Rights and Justice Unit, Council of Europe

Topics and Speakers:

- Overview of BHR international standards

  Daniel Pap, Legal Adviser Digital Development Unit, Council of Europe

- Overview of the European Court of Human Rights jurisprudence on BHR

  Grigory Dikov, Senior Legal Advisor at the Registry of the ECtHR

- Why the business case for human rights matters: risks and opportunities for companies

  Professor Dorothee Baumann-Pauly, Director of the Geneva Center for Business and Human Rights

- Litigation involving human rights and environmental compliance

  Jean-Fabrice Brun, CMS Francis Lefebvre

2. Practical solutions: compliance, investigations, and insurance

Moderation: Nicolas Tollet, CMS Francis Lefebvre and Elena Yurkina, Head of Innovative Solutions for Human Rights and Justice Unit, Council of Europe

Topics and Speakers:

- Overview of Due Diligence requirements in Europe

  Boris Verbrugge, expert on business and human rights

- Practical aspects of DD integration in business

  Nicolas Tollet, CMS Francis Lefebvre

- Human Rights, Environment, and Business: Lessons from emerging mandatory Due Diligence laws for corporate practice

  Claire Bright, Associate Professor at NOVA School of Law and Founder & Director of the NOVA Centre on Business, Human Rights and the Environment

- Insurance requirements: how ESG and human rights compliance shape risk assessment and coverage conditions

Nicolas Dzubanowski, Marsh

- Crisis management and remediation strategies

  Frederic Elkeslassy, Alvarez & Marsal

Lunch Session: Open Discussion with Q&A

A more informal setting for participants to engage with speakers, ask questions, and share perspectives on sustainability challenges and opportunities.