



30 and 31 March 2023

**Sustainable development and supply chain governance.
A new framework for the EU**

The aim of the conference is to bring together academics, industry, and policymakers to discuss the opportunities and challenges of the forthcoming European legislative framework to regulate sustainable supply chains. The prominence assigned to sustainable development goals (SDGs) in guiding the EU action plan has become a source for new obligations for Member States (proposal for Regulation on prohibiting products made with forced labour on the Union market) and corporate social responsibility. The latter are called upon to new development and disclosure requirements on their social and environmental impact (Corporate Sustainability Reporting Directive Proposal) and due diligence throughout the supply chain (Corporate Sustainability Due Diligence Directive Proposal). These initiatives follow the trail outlined in the global context to assign the private sector a key role in fostering the sustainable transition (e.g., UN 2030 Agenda for Sustainable Development, UN 2021 Guiding Principles on Business and Human Rights, OECD 2011 Guidelines for Multinational Enterprises, and OECD 2011 Due Diligence Guidance for Responsible Supply Chain of Minerals from Conflicted-Affected and High-Risk Areas). The new framework aims at enhancing the control that companies must exercise along global value chain (GVC) through contractual governance instruments, such as the adoption of good practices in negotiating with contractors, procurement policies, sustainability clauses, sustainable finance products, monitoring compliance, sanctions, and remedies. The new architecture of sustainable corporate governance thus proposes a combination of public and private enforcement, which EU law has experimented with substantial success in other relevant areas, such as antitrust, unfair commercial practices and regulated markets. In particular, the system of private remedies for breaching sustainability clauses is shaped as a mixture of traditional and innovative techniques, such as financial and non-financial compensation, reinstatement, public apology, restitution, rehabilitation, or contribution to the investigation. In light of the forthcoming approval of the proposals, the contractual instruments to be adopted *ex ante* by companies to monitor the global value chain and the corresponding responsibilities *ex post* require further investigation. To this end, the conference will aim at representing a forum for an open discussion on the emerging EU framework on GVC governance within the global context and on the possible contractual tools that might foster the sustainable transition along value chains.

Scientific Committee:

Paola Iamiceli, University of Trento; **Federico Pistelli**, University of Trento



Thursday 30 March 2023 h. 14.00-19.00

(Conference Room - Economics and Management Department)

**Sustainable development, due diligence, and the impact on GVC
governance: the emergence of an EU framework**

h. 14.00 - 14.15 Introductory remarks: **Paola Iamiceli** (University of Trento);

h. 14.15 - 15.00 Keynote speeches

Anna Cavazzini (European Parliament) - Pre-recorded video

Rolf Skog (University of Göteborg) - The EU COM Proposal for a Corporate Sustainability Due Diligence Directive

Michelle Breslauer (UN Global Compact) - The Role of International Standards on Social and Environmental Sustainability

h. 15.00 – 15.40 The global value chain approach

Florence Palpacuer (Université de Montpellier) - CSR beyond the corporation: contested governance in global value chains

Kish Parella (Washington and Lee University) - International Law in the Boardroom

h. 15.40 - 16.00 Q & A Session

h. 16.00 - 16.15 Break

h. 16.15 – 17.30 The national experiences

Chair: **Giuseppe Nesi** (University of Trento)

Sandrine Clavel (Paris Saclay) - The devoir de vigilance des entreprises in the French perspective

Anna Beckers (University of Maastricht) - The Sorgfaltspflichten von Unternehmen in the German perspective

Charlotte Villiers (University of Bristol Law School) - Due diligence obligations in global value chains: the divergence between EU and UK

h. 17.30 - 18.00 Q & A Session

h. 18.00 - 19.00 Roundtable discussion on sustainable development, due diligence and the impact on GVC governance in the global context

Chair: **Giulio Fazio** (Enel spa)

Marcello Bianchi (ASSONIME)

Arianna Rossi (ILO)

Elena Sychenko (Visiting Professor at Trento University)

Virginia Lombardo (Hitachi Energy)

Nino Cusimano (Nexans)



Friday 31 March 2023, h. 9.15-12.30 14.00-16.00

(Kessler Room-Sociology and Social Research Department)

Supply chains and sustainable transition: in search of new private law tools

h. 9.15 - 10.30 Private law tools to foster the sustainable transition and decarbonization

Chair: **Sandrine Clavel** (Paris Saclay)

Alessandro Romano, Vittoria Battocletti (Bocconi University) - Carbon offsets

Giuseppe Bellantuono (University of Trento) - Decarbonizing global chains with private regulatory law

David Alfrey (Clifford Chance) - The impact of Co2 programs on the supply chain

h. 10.30 - 11.00 Q & A Session

h. 11.00 - 11.15 Break

h. 11.15 - 12.30 Roundtable on cross-sectoral sustainability and contractual governance

Chair: **Fabrizio Cafaggi** (Italian Council of State, former University of Trento, EUI and SNA)

Isabella Alessio (Enel spa)

Sandra Hanni (ICC)

Samantha Zanni (Ferrero)

Giorgio Martellino (Avio spa)

h.12.30 – 14.00 Lunch Break

h. 14.00 - 15.00 Private regulatory law to govern the sustainable development

Chair: **Stefano Troiano** (University of Verona)

Vibe Ulfbeck (University of Copenhagen) - The interplay between contract and tort law in governing a sustainable supply chain

Federico Pistelli (University of Trento) - The privity of contract rule and the supply chain governance

David Snyder (American University, Washington College of Law) - Contracts as an Instrument of International Management and Governance

h. 15.00 - 15.30 Q & A Session

h. 15.30 - 16.00 Conclusive remarks: **Fabrizio Cafaggi** (Italian Council of State, former University of Trento, EUI and SNA)