



PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND
www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: registry@ohchr.org

Mandate of the Special Rapporteur on the situation of human rights defenders

22 February 2024

Subject: Human rights defenders and the EU Corporate Sustainability Due Diligence Directive

Excellency,

I write to you in my capacity as United Nations Special Rapporteur on the situation of human rights defenders, pursuant to Human Rights Council Resolution 52/4, concerning the proposed EU Directive on Corporate Sustainability Due Diligence.

The nexus between corporate activity and human rights defenders has been a priority area for me since I took up the mandate of Special Rapporteur in May 2020.

My aim has been to promote the potential alliances between human rights defenders, states and business that could help build a more just and sustainable world. Human rights defenders play a key role within communities and groups seeking to defend their rights in the face of harmful business activity. They are to the forefront, often as victims themselves, in the pursuit of justice where violations occur, and can also be found standing as allies of those directly affected, whether as members of civil society, grassroots groups or other associations.

In its National Action Plan 2021-2026, Italy recognised the necessity to “strengthen cooperation with trade unions, human rights defenders, non-governmental organizations and civil society, and ensure adequate support because of their essential role in promoting and protecting human rights in business and production processes.” The role of human rights defenders in this regard is indeed essential, yet they are targeted for their peaceful and legitimate work. One in two killings of defenders recorded by the OHCHR in 2019 had been working with communities on issues related to business activity, land, environment, poverty and the rights of indigenous peoples and other minorities, including a proportion linked to negative impacts of the activities of EU companies. The killings have since continued, with the OHCHR documenting 448 fatal attacks in 2022. Over half of the defenders killed were working on land, environment and the rights of peasants, all areas which intersect heavily with business activity.

Given this, I have taken great encouragement from the EU’s move to introduce binding human rights and environmental obligations for companies across the bloc,

Her Excellency
Ms. Giorgia Meloni
President of the Council of Ministers
of the Republic of Italy

through the Corporate Sustainability Due Diligence Directive (CSDDD). While the proposed Directive may be imperfect, it stands to have a significant positive impact for human rights defenders around the world, encouraging companies to engage with them as stakeholders in the due diligence process, as well as providing them with standing to seek accountability where negative human rights impacts have occurred.

As such, I am extremely concerned by reports that Italy intends to abstain on the final vote on the Directive in the European Council. Italy has made encouraging contributions to the advancement of the business and human rights framework, in particular with its progressive National Action Plan. I also note that protecting human rights defenders was a core priority for Italy during its most recent term on the Human Rights Council. Abstaining on the crucial Council vote, which has been strongly [supported by Italian businesses](#), would undermine these positive efforts and send a severely negative message about Italy's commitment to human rights, putting at risk legislation which would otherwise set a new standard for rights-respecting business not only in the EU, but around the globe.

I urge you to ensure Italy's full support for the proposed Directive at the upcoming Council vote, to ensure this opportunity to put human rights at the heart of business will not be missed.

Please accept, Excellency, the assurances of my highest consideration.



Mary Lawlor
Special Rapporteur on the situation of human rights defenders

cc: Mr. Adolfo Urso, Minister of Business and Made in Italy
Mr. Giancarlo Giorgetti, Minister of Economy and Finance
Mr. Carlo Nordio, Minister of Justice
Ambassador Stefano Verrecchia, Permanent Representative of Italy to the EU