# Article information:

联合国工商业与人权指导原则中的“尽职调查”概念| 欧洲国际法杂志| 牛津学术  
<https://academic.oup.com/ejil/article/28/3/899/4616670>

# Article summary:

1. The concept of due diligence in the UN Guiding Principles on Business and Human Rights is ambiguous, as it refers to both a process for managing business risks and a standard of conduct for fulfilling obligations.

2. This ambiguity creates uncertainty about the extent of businesses' responsibility to respect human rights and how that responsibility relates to providing remedies for human rights infringements.

3. The article proposes an interpretation of the Guiding Principles that clarifies the relationship between the two concepts of due diligence, arguing that due diligence as a standard of conduct is only relevant in defining businesses' responsibility for infringements by third parties.

# Article rating:

Appears moderately imbalanced: The article provides some useful information, but is missing several important points or pieces of evidence that would be required to present the discussed topics in a balanced and reliable way. You are encouraged to seek a more balanced perspective on the presented issues by exploring the provided research topics and looking at different information sources.

# Article analysis:

The article titled "The Concept of Due Diligence in the UN Guiding Principles on Business and Human Rights" discusses the different interpretations of due diligence within the UN Guiding Principles. The author argues that the lack of clarity in the principles creates uncertainty about businesses' responsibility to respect human rights and provide remedies for violations.

One potential bias in the article is that it primarily focuses on the perspective of human rights lawyers, rather than considering the views of business professionals. This could lead to a one-sided analysis that does not fully explore the practical challenges faced by businesses in implementing due diligence processes.

Additionally, the article makes unsupported claims about the confusion caused by the different interpretations of due diligence. While it is true that there may be some ambiguity in how due diligence is understood, the article does not provide concrete evidence or examples to support its claims.

Furthermore, the article does not adequately address potential counterarguments or alternative perspectives on due diligence. It presents a narrow interpretation of due diligence as solely a standard of conduct, without considering other possible interpretations or approaches.

The article also lacks evidence for its claims about the extent of businesses' responsibility to respect human rights and provide remedies for violations. It asserts that there is uncertainty in these areas but does not provide specific examples or legal analysis to support this assertion.

Moreover, while the article acknowledges that due diligence processes are a legal requirement under some regulatory schemes, it does not explore how these requirements impact businesses' understanding and implementation of due diligence.

Overall, this article appears to have a bias towards prioritizing human rights concerns over business considerations. It fails to present a balanced analysis of the challenges and complexities involved in implementing due diligence processes within businesses.

# Topics for further research:

* Different interpretations of due diligence in business and human rights
* Practical challenges faced by businesses in implementing due diligence processes
* Counterarguments and alternative perspectives on due diligence
* Concrete examples of confusion caused by different interpretations of due diligence
* Legal requirements and their impact on businesses' understanding of due diligence
* Balancing human rights concerns with business considerations in due diligence implementation

# Report location:

<https://www.fullpicture.app/item/9bf9bddf40e468d026e0ea08c36abcf4>