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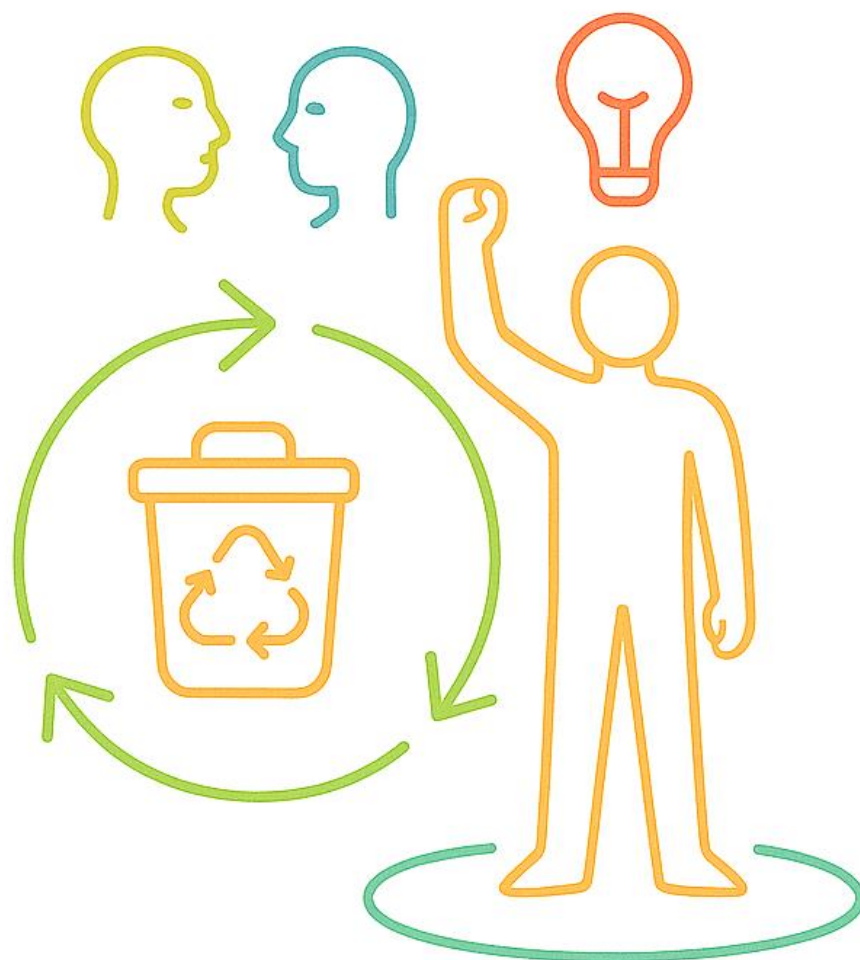
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WORKING PAPER

Empowering Citizens for Circular Economy: a HUMAN-centred law model (“ECCE HUMAN”)

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Abstract

This working paper presents a preliminary synthesis of the research carried out within the PRIN 2022 PNRR project ‘Empowering Citizens for Circular Economy: a HUMAN-centred law model’ (ECCE-HUMAN), financed by the Italian Minister for University, and anticipates a forthcoming collective volume that examines the legal dimensions of Europe’s transition from a linear to a circular economic model. Building on the EU’s Circular Economy Action Plan and evolving EU legislative framework, the working paper outlines the policy context, objectives, and interdisciplinary methodology of the research conducted so far by the three research units. It then offers an overview of twelve research lines, each framed by a central research question and key thematic tensions, covering topics from sociological foundations and corporate governance to intellectual property, consumer empowerment, dispute resolution, constitutional principles, and global governance. In its preliminary reflections, the paper identifies critical challenges – regulatory fragmentation, enforcement gaps, corporate-purpose redefinition, consumer engagement, polycentric governance, and constitutional framing – and proposes a future research agenda that integrates empirical, doctrinal, and experimental methods. Serving as both roadmap and teaser, this working paper maps the questions driving the collective research, thereby setting the stage for the full volume’s analyses and recommendations.

Keywords

Circular Economy; European Union; Regulatory Fragmentation; Corporate Governance; Consumer Empowerment

Editor contact details:

Francesco Deana

Department of Legal Sciences

University of Udine, Italy

francesco.deana@uniud.it

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1. Introduction and context

We live in an era marked by accelerating resource scarcity, climate breakdown, and widening social inequalities, where the shift from a “take-make-dispose” economic model to a circular paradigm is no longer an academic aspiration but an urgent societal necessity. Growing public awareness, amplified by recent policy documents, investigative reports and even documentaries – such as Netflix’s *Buy Now* –, highlights the unsustainable dynamics of fast fashion and throwaway consumer culture, which externalize environmental damage and labour exploitation while accelerating wider patterns of social erosion.

Only a systemic transformation can begin to address the scale of these challenges.

Recognising the urgency, the European Union has made the circular economy a central pillar of its Green Deal strategy. The 2020 Circular Economy Action Plan introduced a suite of ambitious measures: stricter requirements for product design, mandatory extended producer responsibility (EPR) schemes, and reinforced targets for waste prevention and resource efficiency. These reforms are intended not merely to mitigate emissions but to reconfigure the economic system by curbing resource extraction and addressing forms of socio-economic exclusion. Complementary initiatives—ranging from sustainable public procurement and corporate governance reform to new due diligence obligations for global supply chains—further aim to reshape the relationships among producers, consumers, and broader communities.

Nevertheless, a number of legal and regulatory challenges remain. EU directives still require coherent and timely national implementation, which is complicated by divergences in transposition and administrative capacity. Fragmentation across sectoral regimes—such as product safety, consumer protection, and corporate insolvency—continues to create overlaps, inconsistencies, and gaps in enforcement. Both public authorities and economic operators face uncertainty in navigating the interactions between hard EU law, national legal frameworks, and private contractual arrangements. Meanwhile, the global nature of supply chains raises complex issues of extraterritorial reach, legal accountability, and the EU’s capacity to promote human rights and sustainability beyond its jurisdiction.

1.1. Rationale for this working paper

This preliminary synthesis aims to outline the policy context, research questions, and methodological approach underpinning the research on the circular economy transition in the EU, paving the road to the detailed analyses and normative conclusions that will appear in the forthcoming volume at the end of the project. In doing so, this working paper will:

- Highlight the strategic objectives and legal instruments for circularity imposed by the EU on its Member States, including Italy.
- Identify core tensions – such as between sustainability goals and market competitiveness, or between uniform EU rules and national flexibility.
- Frame the interdisciplinary dialogue among corporate law, consumer law, intellectual property law, constitutional law, and private international law in the context of supranational legislation and case-law.

The goal is to provide scholars, policymakers, and practitioners with a coherent overview of the questions driving our collective research, while preserving the full argumentative development and policy recommendations for the final publication.

2. Objectives and scope of the research

The collective research presented in this working paper is driven by the following overarching objectives:

1. Clarify the legal foundations of circularity

- Examine how existing EU and national law implementing it incorporate (or fail to incorporate) circular economy principles, especially analyzing sustainability-related directives and regulations.
- Assess the doctrinal underpinnings of key concepts – such as “sustainability reporting” or “right to repair” – and their practical application.

2. Highlight regulatory gaps and fragmentation

- Identify areas where sectoral regimes (e.g., consumer law, corporate law, insolvency law) overlap or leave lacunae, creating uncertainty for stakeholders.
- Analyze the consequences of divergent transposition practices among Member States and the resulting compliance challenges for businesses operating across borders.

3. Analyze governance and enforcement mechanisms

- Investigate the roles of EU institutions, national authorities, and private actors in implementing and enforcing circular economy norms.
- Evaluate the effectiveness of administrative sanctions, judicial remedies, and private-law instruments (contracts, corporate governance codes) in promoting resource-efficient practices.

4. Bridge disciplinary perspectives

- Foster an interdisciplinary dialogue among Italian scholars interested in this topic under the perspectives of corporate law, intellectual property law, consumer law, constitutional law, and private international law.
- Integrate doctrinal analysis with sociological insights, in order to orient and support the legal research.

5. Offer policy-oriented insights

- Generate comments on legislative reform at EU and national levels, and recommendations targeting clearer definitions, harmonized standards, and stronger enforcement tools that balance sustainability with competitiveness.

By pursuing these objectives, the research aims to offer a contribution to the ongoing process of paradigm shift and the relevant debate, helping scholars, regulators, and practitioners to navigate and shape the evolving legal landscape of the circular economy.

3. Methodology and theoretical framework

Interdisciplinary and multi-level approach

Our research combines legal doctrinal analysis with sociological and comparative methods to capture the complexity of legal regimes affecting the circular economy in the EU.

We engage three analytical levels:

1. Macro-regulatory level

- Examination of EU primary and secondary law (Treaty provisions, Regulations and Directives) and their transposition into Member State legal orders.
- Analysis of policy documents (e.g. Circular Economy Action Plan, Green Deal communications) to trace the evolution of policy objectives.

2. Meso-institutional level

- Study of enforcement architectures: roles of the European Commission, national regulators, courts, and alternative dispute-resolution bodies.
- Assessment of private-law mechanisms, including corporate governance codes, contractual clauses, and voluntary certification schemes.

3. Micro-behavioral level

- Socio-legal case studies examining undertakings’ strategies (e.g. product-as-service models, sharing platforms) and consumer responses.
- Empirical dialogue with stakeholders – economic operators, industry representatives, NGOs – to identify practical barriers and enablers.

Methodological tools

- **Doctrinal analysis:** Close reading of policy documents, pieces of legislation, case law (including but not limited to CJEU judgments).
- **Comparative legal analysis:** Cross-jurisdictional comparison with non-EU systems to identify best practices and potential pitfalls.
- **Critical reflection:** Each research line concludes with reflexive questions that open avenues for further research, as well as innovative proposals in terms of normative interpretation/application/reform, ensuring that the final volume remains a catalyst for ongoing scholarly debate.

Such methodological and theoretical framework ensures that our collective work not only maps existing legal landscapes but also critically evaluates their capacity to foster a truly sustainable circular economy.

4. Structure of the research lines and book chapters

The project’s research lines will each form the basis of individual chapters in a forthcoming collective volume, which will present the main outcomes of the research. What follows is a summary of the objectives, areas of inquiry, and methodological approaches that currently define each research line and will soon shape the structure and content of the volume’s chapters.

The field of research is first explored under a sociological perspective by **Michele Marzulli**. The transition to a Sustainable Circular Economy (‘SCE’) represents a fundamental shift from the linear ‘take-make-dispose’ model to a regenerative system focused on reuse, recycling and resource recovery. The SCE is an economic model that aims to eliminate waste while increasing resource efficiency and promoting social equity. It is not just one technological improvement among others, but a paradigm that moves away from conventional production-consumption systems to a circular model that prioritizes sustainability at all levels. This chapter aims to present the framework and to analyse its key concepts, issues and actors, as well as the challenges for regulating this transformation process. Regulating SCE is complex because of the multifaceted nature of circular practices. The law and policymaking process must balance the interests of different stakeholders while ensuring global cooperation, particularly through international supply chains. In particular, any policy initiative that places people at the centre (‘human-centred’ model) must confront a sort of duplicity, i.e. the dialectic between the macro dimension (the global scenario) and the micro dimension (social action understood as individual action). These difficulties can explain why recently the green policies seem to be in crisis. Solutions must aim to promote equitable access, ensuring that all individuals, regardless of their background, can benefit from the SCE. The chapter try to reshape the fundamental issues in the SCE and aims to be a call for responsibility of all social actors.

Building on this foundation, the next two chapters turn to corporate governance and accountability.

Anna Genovese investigates the real-world teeth of EU sustainability-reporting directives: to what extent do Member-State transposition measures ensure that firms not only publish environmental and social metrics but also face meaningful sanctions when reports are misleading or incomplete? Genovese’s chapter focuses on the transformation of corporate ESG information, both for internal purposes and for the market, from non-financial reporting to corporate sustainability reporting framework. Specifically, the chapter underlines that the objectives of mandatory corporate sustainability reporting extend beyond merely enhancing the quantity and quality of ESG information available to investors and corporate financiers: in fact, its goals are also non-financial. Mandatory corporate sustainability reporting requirements must speak to both financial and non-financial stakeholders while aligning with corporate and broader societal interests. Hence, the sustainable transition of companies is not left solely to the discretion of shareholders or lenders (duly informed about ESG factors). However, the effectiveness and enforceability of mandatory corporate sustainability reporting vary depending on the nuances of national regulations on corporate governance. From this perspective, the chapter will explore Italian law as a case study in order to verify if and to what extent relevant claims can be brought with regard to mandatory corporate sustainability reporting. In particular, it questions whether companies could be held liable for non-compliance with sustainability obligations, for declared but disregarded sustainability commitments, and for management decisions taken without abiding by sustainability principles.



Andrea Caprara then shifts the corporate governance lens from regulators to citizens, exploring the potential for non-shareholder stakeholders to influence business strategy of companies. His chapter will examine whether subjects who are outside of the enterprise but who bear interests potentially harmed by the enterprise’s activity – like citizens – can intervene to protect supra-individual prerogatives in the organization and activity of profit-making companies. In particular, the possible role of such ‘active’ stakeholders in corporate governance will be explored on the basis of admissible statutory clauses or through spontaneous openings of the directors within the scope of managerial discretion. The analysis will focus on the hypothesis of joint-stock company under Italian Law – ‘Società per azioni’ (S.p.a.) – as a case study of possible European relevance.

The question of corporate decision-making continues in **Francesca Bianconi**’s chapter on proportionality. After reconstructing the sustainable business paradigm that emerges from the multiple sources that introduce obligations towards sustainability and the circular economy, this chapter analyses the principle of proportionality in the context of company law. Focusing on the Italian legal system as a case study, this principle is investigated as a tool that could arguably become a criterion guiding the discretion of directors in making decisions that impact on sustainability issues. This analysis thus attempts to demonstrate how the proportionality criterion applied to corporate governance can contribute to the paradigm transition to a fully ‘human-centred’ model of sustainable development.

Federica Pasquariello then brings the research into moments of business crisis and insolvency proceedings, asking whether Workers’ buy-outs (WBO) schemes can serve not merely as rescue tools but as drivers of circular-economy praxis, by preserving social capital and retaining institutional knowledge within firms. WBO achieve the recovery of a company in crisis or insolvency through the involvement of workers who take over and continue its activity, resulting in a real ‘regeneration’. This strategy is fully in line with the debate on Corporate Social Responsibility and the ESG profiles of sustainability, and it becomes even more relevant in the current paradigm shift towards circular economy. In particular, WBO succeed in crossing the two main lines of development of modern (European) business crisis law: the demand for social and economic sustainability, on the one hand, and the incentive to preserve business continuity, on the other hand. Furthermore, the new attitude of cooperative enterprises to play a crucial role in the social and economic development of a territory is also improved, also through the support of employment and the regeneration of distressed enterprises. Moreover, it is also a matter of carrying out the idea of placing the rights of the individual as such at the center of regulatory policy options, with regard to the law of the enterprise and the enterprise in crisis, in a human-centred logic that could be at risk of being diluted in the purely capitalist and profit-oriented perspective. The rights of the individual that come into consideration are not only the right to work and to work in dignity, but also to the full expression of one’s personality. In this framework, the analysis of the WBO proceeds through a brief overview of three different WBO dynamics: respectively the so-called conflictual one, the negotiated one and the one based on Employee Stock Ownership Plans; finally, a focus on the Italian legislation is provided as a relevant case study.

Within the context of commercial law, the focus is then expanded to the market and its key relationship with circular economy. In this sense, **Bernardo Calabrese**’s chapter on the right to repair (‘R2R’) examines the friction between such an end-user right, empowering individuals but to the benefit of systemic sustainability, and possible market obstacles. Actually, it is widely acknowledged that the so-

called right to repair is pivotal for promoting sustainable development within an innovative productive system. This proves true looking at the legislative agenda all over the world, and in the European Union the reform program gained momentum more recently with Directive (EU) 2024/1799. Looking at this reform, however, the Directive seems to disregard the issues of intellectual property and servitization, which represent relevant obstacles for R2R in law and in fact. This chapter criticizes such an approach, considering how the EU legislator seems to (green)wash its hands under both perspectives. Therefore, an evolutive interpretation is here proposed in order ensure effectivity to R2R. On the one hand, against an excessive reverence to intellectual property, it is maintained that the pursuit of public interest underlying repair could well entail a ‘due prejudice’ to private business rights, limiting their prevalence to abuse cases. On the other hand, against biased presumption that servitization is always beneficial for circular economy, it is maintained that the consumer shall instead enjoy the right to freely turn to an open competitive market for repair, in order to counteract the relevant foreclosure effects of this contract model.

A quite related chapter on consumer law follow, also pivoting around empowerment. **Francesco Deana** maps the landscape of consumer powers – label-based entitlements, informational duties, behavioural nudges – highlighting persistent gaps where legal design still fails to mobilize end-users as active agents of resource recirculation. First, this study argues that the EU is recalibrating consumer protection rules to empower consumers to make (even more) informed and sustainable decisions, aligned with the EU’s climate and environmental objectives. However, it is emphasized that information alone is insufficient to enable consumers to make sustainable choices, especially considering issues such as information overload and insufficient literacy on complex environmental data. Therefore, the chapter further explores the crucial role of consumer education, which is necessary for ensuring that consumers can understand and apply sustainability-related information in their decision-making. The chapter then introduces new consumer rights within the SCE, specifically the right to product longevity and the right to product repairability. Brand new EU laws ensures that goods are designed to last longer, reducing the need for frequent replacements and minimizing waste. Similarly, they address planned obsolescence by requiring manufacturers to provide consumers with access to repair tools, parts, and information, allowing products to be maintained and used for a longer period. Ultimately, this study proposes an integrated vision of how EU reforms can facilitate a transition toward a more sustainable, equitable, and responsible economic model. However, it also argues that the effectiveness of such transition can be undermined by critical gaps—namely, the absence of a legal framework for returning non-sustainable products and the inherent tension between expansive consumer rights and their environmental impact.

Private law enforcement and cross-border dynamics come into focus in the chapter by **Elisabetta Bergamini** on dispute resolution. Here the core inquiry is whether arbitration and private international law doctrines are fit for the complexities of sustainable consumer contracts spanning multiple jurisdictions. The paper focuses on the evaluation of the existing rules dealing with private international law (jurisdiction and conflict of law) and alternative dispute resolution in order to assess their application in the context of circular economy. In the first part of the paper, the focus is on the rules of the Brussels and Rome I and II regulations applying to consumer contracts, rules that are critically analysed in their application to the new scenario opened by the circular economy, in particular with regard to the selling from consumers to consumers using online platforms (and the relationship between consumers and platforms) and the rules related to product liability and intellectual property rights violation linked to the circular economy commerce opportunities. In the second part of the paper, the focus is on the alternative

dispute resolutions systems offered by the same platforms and their effectiveness in dealing with the increase of C2C contracts and preventing the need to resort to judicial remedies. Finally, the author draws the consequences from the previous research and proposes new rights that should be implemented by the EU legislator while amending the existing legal framework in the field of private international law in order to tackle the existing outlined problems.

A constitutional perspective emerges next in **Alessia-Ottavia Cozzi**’s contribution, which interrogates how foundational principles can play a role in both empowering and constraining the establishment of a circular economy. More precisely, this chapter analyses the constitutional implications of the circular economy at the European Union and national levels. The chapter critically discusses the opinions that have emerged among the authors, according to which the circular economy has brought about a constitutional change in the European Union, reshaping the relationship between the single market and the environment, and compare them with national constitutional experiences. The Italian case is used as a case study, as the Italian Constitution has recently been amended to include environmental protection among the fundamental principles and as an explicit limit to the freedom of enterprise. The argument discussed in the chapter is that, at the level of the European Union, the circular economy affects the economic paradigm from within, while in the Italian constitution, as in other national constitutions, the environment is still perceived as an external limit to the economy and the market. However, the two perspectives are only apparently contradictory, because there has been a link of interdependence between the EU and national dimensions in environmental matters, so that changes at one level are reflected and inevitably influence the other.

The final three chapters expand the lens beyond the EU.

Claudia Candelmo’s global-governance analysis asks whether the EU is alone in promoting a circular economy model, or whether a polycentric international order of parallel frameworks is more realistic. The chapter looks at the promotion of SCE worldwide and thus addresses the question of whether the EU is a frontrunner in the transition from linear to circular economy or its role needs to be rescaled to one player among the many others that populate the international community. In fact, while the EU is surely one of the most prominent actors in this respect, it does not act in a vacuum. Many other actors took an interest the achievement of sustainability in general and in SCE in particular, and have become drivers of progressive change, in their respective geographical areas and fields of competence. The research shows that, while the EU is endowed with considerable power to influence and drive the legislative and policy agenda of Member States, other actors are, in their field of competence, promoting sustainable circular economy, consequently giving rise to a truly international and global effort from a linear economic system to a circular one.

Sara Dal Monico then returns to the role of the individual, exploring whether the “power of choice” in consumption can be elevated to a human right – thereby recasting consumer sovereignty as a tool of environmental justice. The premise upon which the chapter is built is that both the digital and environmental challenges have imposed a shift in the way in which individuals approach consumption. The very notion of ‘consumer’ is indeed challenged, especially if a change towards a circular economy is to be fostered and promoted. In a circular economy-oriented model, the very notion of consumers seems outdated, as this economic model strives towards the recycling and reuse of goods, challenging the

consumeristic approach which has so far characterized most economic models, tossing aside the outdated ‘buy-use-toss’ model typical of many economic systems, including the European one. At the same time, said challenges have, in some ways, strengthened the position of consumers and the power that they hold. Indeed, consumers’ attention towards the sustainability of certain products, their interest towards the protection of the environment can have an important impact on businesses’ compliance with sustainability rules. The power of choice which consumers have can greatly influence and contribute to shifting towards a circular economy model focused on sustainability and environmental protection. Starting from this assumption, which will be analysed in an interdisciplinary perspective including sociological considerations, the chapter tries to pin-point how consumer protection is (if at all) approached at the international legal level. It reflects on whether it is possible to talk about global consumer law at all, and whether the intersection between consumer rights, the environment, and sustainability has been acknowledged by international legal instruments. The chapter will delve into consumer rights as an innovative way of conceptualising human rights and will try to evaluate whether it is possible to talk about consumer rights as human rights. In this context, particular attention will be devoted to the right of access to information, considered as the backbone of consumer’s power of choice. Disinformation and greenwashing practices, in this sense, constitute obstacles to be overcome and to be tackled with a restrictive approach, though the challenge on a global scale is not to be underestimated. Furthermore, the contribution will try to move a step further and propose a conceptualization of consumer rights which is not only human-centric, rather eco-centric, thus approached in a holistic way, with consumer rights being instrumental in achieving environmental protection and sustainability.

Sara De Vido closes the volume with a thought-provoking exploration of legal personhood for the environment itself, examining how rights-of-nature doctrines could reshape consumer entitlements to restoration and remediation in an ecological register. In this sense, it is argued that the environment, meant as ‘us’, including humanity, non-human animals, and natural objects, is not only an element of sustainability as it has been traditionally conceived but constitutes, in itself, the foundation of sustainability and therefore of a Sustainable Circular Economy. Such a paradigm transition implies rethinking the relationship between economy and environment, entailing a reflection about the human role and its relevant impact on nature. In this reflection, the right to a healthy environment, which opens up a new perspective that construes environment not as a mere resource but as an autonomous legal entity, is particularly relevant. Some examples will be provided in that respect: from the recognition of a right to a healthy environment in constitutions and policies, to the elaboration of a theory on ‘blue planet law’. The chapter will reflect on the right to a healthy environment that is more than a human right, and that recognizes the schemes of oppression of a part of humanity on natural elements. The consumers in Western societies have contributed to the exploitation of nature through the activities of transnational corporations, but also through overconsumption, lack of awareness of the importance of recycling and waste reduction, the impact of the exploitative animal agriculture, and replicated a model of oppression that should be read through a post-colonial perspective. Consumers are not a monolithic category but rather a category that changes according to time and space. Human rights law can be read in an ecological perspective to understand that the rights of the consumers are both contextualised and universal and must be considered in their relation to nature. The chapter conceptualises the idea of a sustainable consumer, that is well informed of the effects of his/her behaviour on humanity, non-human animals and nature.

Table 1. Structure of the Volume

	Title and author	Key research question	Key topics
1	“‘Ubi societas ibi ius’: centering a Sustainable Circular Economy from a sociological perspective” (M. Marzulli)	How can a sociological lens help us reconceive the legal order needed to support a truly sustainable circular economy?	<ul style="list-style-type: none"> • Social norms and collective action • Institutional embeddedness of law • Interplay between societal dynamics and legal change
2	“Corporate sustainability reporting and commitments: effectiveness and enforceability from EU to national law” (A. Genovese)	To what extent are EU-mandated sustainability reporting obligations actually effective and enforceable at Member State level?	<ul style="list-style-type: none"> • Reporting standards and comparability • Enforcement mechanisms and sanctions • Corporate governance and stakeholder oversight
3	“Citizens as active stakeholders in corporate governance” (A. Caprara)	What role can—and should—citizens play as stakeholders in steering corporate behaviour toward circular economy goals?	<ul style="list-style-type: none"> • Stakeholder theory and corporate participation rights • Mechanisms of shareholder and non-shareholder engagement • Democratic legitimacy in private governance
4	“The ‘proportionally sustainable’ management of companies in the context of a Sustainable Circular Economy” (F. Bianconi)	How does the principle of proportionality operate when balancing profitability with sustainability in corporate decision making?	<ul style="list-style-type: none"> • Proportionality in corporate law • Balancing shareholder value and environmental objectives • Judicial review of board decisions
5	“Companies regenerated with Workers’ Buyout (WBO): a human centred tool for a Sustainable Circular Economy in corporate insolvency” (F. Pasquariello)	Can Workers’ Buyout mechanisms in insolvency law serve as levers for advancing circular economy principles?	<ul style="list-style-type: none"> • Insolvency-law frameworks • Social enterprise and worker ownership • Human dignity and economic democracy
6	“Right to repair between intellectual property and environmental law” (B. Calabrese)	How does the enacted reform on “right to repair” actually address relevant market obstacles?	<ul style="list-style-type: none"> • Directive (EU) 2024/1799 • Intellectual property



			and servitization • Contractual derogations and corrective interpretation
7	“Reshaping consumer powers and responsibilities: What’s there, and what’s (still) missing?” (F. Deana)	What legal levers exist to empower consumers as agents of circularity, and where do gaps remain?	• Information asymmetry and labelling • Consumer duties vs. rights • Behavioural insights in consumer law
8	“Dispute resolution and private international law: arbitration in the sustainable-consumer contract in the Circular Economy?” (E. Bergamini)	Are existing ADR and private-international-law tools adequate to resolve cross-border circular-economy disputes?	• Jurisdiction and applicable law • Arbitration clauses in consumer contracts • Enforceability of awards in multi-jurisdictional supply chains
9	“The constitutional implications of a Sustainable Circular Economy at the European Union and national levels” (A. O. Cozzi)	How does the constitutional integration of sustainability principles support the implementation of circular economy regulation?	• Sustainability principles in public law • Constitutional dimensions of environmental protection • Different approaches at EU and national level
10	“Global sustainability in the international arena beyond the EU policy agenda” (C. Candelmo)	What role can the EU play globally: a frontrunner exporting its model, or one among many actors shaping circular-economy norms?	• Comparative regulatory frameworks • Soft law and international organizations • Trade agreements and sustainability clauses
11	“Rethinking the role of the consumer in a global economy: the power of choice as a ‘human right’?” (S. Dal Monico)	Can “power of choice” be recognized and enforced as a human right in service of environmental sustainability?	• Human-rights jurisprudence • Consumer protection and dignity • Rights-based approaches to sustainability
12	“The international dimension of the environment as a legal entity... rights of the sustainable consumer in an ecological perspective” (S. De Vido)	What are the legal foundations and implications of granting the environment legal-entity status for consumer rights?	• Legal personhood of nature • Rights of “sustainable consumers” • Ecological restoration and remediation rights

5. Research Directions

As our exploration into the legal foundations of a sustainable circular economy advances, several transversal themes have begun to crystallize. These emerging intersections not only establish a degree of internal coherence among the project’s various research lines, but also open fertile ground for future investigation.

Despite the EU’s declared ambition to construct a unified legal framework for the circular economy, the research points to ongoing fragmentation across regulatory regimes. Achieving greater coherence will likely require both institutional and normative innovation.

A recurring concern across research lines is the mismatch between normative aspirations and the effectiveness of existing enforcement mechanisms. Whether the issue is sustainability reporting, repair obligations, or transnational litigation, the robustness of sanctions, incentives, and remedies remains in question. This points to a need for empirical research in the future—such as case studies or analysis of infringement proceedings that the Commission would start in the next years—aimed at evaluating enforcement outcomes and designing balanced sanctioning frameworks that maintain legal credibility without imposing excessive burdens.

Several contributions grapple with the enduring tension between shareholder value maximization and broader stakeholder commitments. Within this long-standing debate, normative work could usefully explore statutory innovations or experimental models, such as simulating board decisions or testing impact assessments focused on stakeholder welfare and environmental metrics.

Consumer law emerges as a field with both strategic potential and structural limitations. The assumption that transparency or information disclosure is sufficient to modify consumption patterns is increasingly questioned. Insights from behavioral economics may guide the design of more effective regulatory interventions—such as default repair options or adaptive labelling schemes—that support sustainable choices without relying solely on rational decision-making models.

The EU’s global ambition in circular economy governance must contend with a complex, polycentric international landscape. Future research could map the interaction between EU trade and environmental strategies and analogous policies developed by other jurisdictions and regional organizations. Such comparative work may uncover opportunities for cooperation, while also identifying fault lines that could lead to fragmentation or regulatory contestation.

The evolving constitutional framework in which circular economy norms are embedded deserves closer scrutiny. This includes the relationship between EU’s and Member States’ constitutional framework, as well as the possible recognition of environmental and consumer rights as fundamental. The role of the CJEU in adjudicating such issues, and the integration of environmental rights into national constitutions, both warrant sustained attention.

Taken together, these cross-cutting themes suggest multiple pathways through which legal scholarship can contribute to designing the institutional and normative architecture needed to support a just and sustainable transition to a circular economy in Europe and beyond.

6. Conclusive remarks

Looking ahead, the forthcoming volume aims to offer valuable insights on several levels. First, it will explore how legal principles and governance tools might be adapted to better support business models that use resources more efficiently and include all stakeholders in a fair and meaningful way. Second, it will take a closer look at the relationship between EU-level goals and the realities of national implementation, offering comparative reflections that could help align practices across Member States. Third, it will broaden the lens beyond Europe, examining how the EU’s approach to the circular economy interacts with global regulatory developments, international human rights obligations, and even emerging ideas like the rights of nature.

At its core, the circular economy isn’t just about reducing waste or using fewer materials—it’s a broader legal and societal shift that challenges how we think about economic relationships, responsibilities, and justice. The volume will bring fresh legal thinking to these questions, offering concrete answers, informed recommendations, and critical reflections that can help transform the vision of a sustainable circular economy into legal and institutional reality.