

# Globale Lieferketten – Globale Verantwortung

# Menschenrechte und gute Arbeit in globalen Lieferketten

6. und 7. Oktober 2020

Programm und Workshop-Exzerpte



Bundesministerium  
für Arbeit und Soziales



- 9.00 (MEZ) **Öffnung des virtuellen Konferenzraumes**
- 10.00 **Beginn der Veranstaltung und Begrüßung durch Hubertus Heil, Bundesminister für Arbeit und Soziales**
- 10.15 **Politische Rahmenbedingungen verbessern: Menschenrechtsschutz stärken und gute Arbeit weltweit fördern. Was ist zu tun?** mit:
- **Hubertus Heil**, Bundesminister für Arbeit und Soziales, Deutschland
  - **Christine Lambrecht**, Bundesministerin der Justiz und für Verbraucherschutz, Deutschland
  - **Dr. Gerd Müller**, Bundesminister für wirtschaftliche Zusammenarbeit und Entwicklung, Deutschland
  - **Anousheh Karvar**, Vertreterin der französischen Regierung im Verwaltungsrat der Internationalen Arbeitsorganisation
  - **Guy Ryder**, Generaldirektor der Internationalen Arbeitsorganisation
  - **Professor John Ruggie**, ehemaliger Sonderbeauftragter der Vereinten Nationen für Unternehmen und Menschenrechte
- 11.00 **Politik und Stakeholder im Dialog: Schaffung eines Level Playing Field: Was sind die Erwartungen von Sozialpartnern, Unternehmen und Zivilgesellschaft?** mit:
- **Renata Jungo Brüngger**, Daimler AG
  - **Paul Schoenmakers**, Tony's Chocolonely
  - **Martin Shankland**, adidas AG
  - **Julie Vallat**, L'Oréal
- 11.45 **Interview mit EU-Kommissaren: Eine neue Decent Work Agenda und ein EU-weiter Sorgfaltsstandard – Was plant die Europäische Kommission konkret?**
- **Nicolas Schmit**, EU-Kommissar für Beschäftigung und soziale Rechte (tbc)
  - **Didier Reynders**, EU-Kommissar für Justiz
- Stimme aus dem Europäischen Parlament:**
- **Lara Wolters**, Mitglied des Europäischen Parlaments (S&D)
- 12.10 **Talk mit den Triopartnern: Gute Arbeit weltweit fördern – gemeinsam Verantwortung wahrnehmen**
- **Ana Mendes Godinho**, Ministerin für Arbeit, Solidarität und Sozialschutz, Portugal
  - **Janez Cigler Kralj**, Minister für Arbeit, Familie, Soziales und Gleichstellung, Slowenien
  - **Hubertus Heil**, Bundesminister für Arbeit und Soziales, Deutschland
- 12.30 **Verabschiedung durch Hubertus Heil, Bundesminister für Arbeit und Soziales und virtuelle Lunchspeech von Dr. Auma Obama**
- Durch die Veranstaltung führt **Tanja Samrotzki**.*
- Der erste Kongress findet auf Deutsch, Englisch, Französisch und in deutscher Gebärdensprache statt. Zusätzlich wird eine englische Schriftverdolmetschung angeboten.*



8.00 **Öffnung des virtuellen Konferenzraumes**  
(MEZ)

9.00 **Begrüßung durch Staatssekretär Björn Böhning, Bundesministerium für Arbeit und Soziales und Joost Korte, Generaldirektor der Generaldirektion Beschäftigung, Soziales und Integration (EMPL), Europäische Kommission, anschließend**

**Talk mit Lene Wendland, Leiterin des Bereichs Wirtschaft und Menschenrechte im Büro des Hochkommissariats für Menschenrechte der Vereinten Nationen**

9.30 **Fünf parallele Multi-Stakeholder-Workshops: Schlüsselthemen für einen Europäischen Aktionsplan Menschenrechte und gute Arbeit in globalen Lieferketten**

- **Workshop 1**  
**Human rights due diligence obligations along global supply chains: What should EU legislation look like?** Menschenrechtliche Sorgfaltspflichten entlang globaler Lieferketten: Wie sollte ein verbindlicher EU-Standard aussehen?
- **Workshop 2**  
**Strengthening European sector dialogues: How can expertise be pooled meaningfully?** Europäische Branchendialoge stärken: Wie kann Expertise sinnvoll gebündelt werden?

- **Workshop 3**

**National Action Plans on business and human rights: How to ensure quality and coherence?** Nationale Aktionspläne „Wirtschaft und Menschenrechte“: Wie gelingen Qualität und Kohärenz?

- **Workshop 4**

**Eradicating child and forced labour in supply chains: What lessons can be learned and what is the way forward?** Kinder- und Zwangsarbeit in Lieferketten bekämpfen: Was sind Lehren und Lösungsansätze?

- **Workshop 5**

**Access to remedy: How to create a holistic system of remedies for corporate human rights violations?** Zugang zu Abhilfe: Wie kann ein holistisches System der Abhilfe für Menschenrechtsverletzungen im Verantwortungsbereich von Unternehmen geschaffen werden?

11.30 **Berichte aus den Workshops (im Konferenzplenum)**

12.00 **Ausblick mit Dr. Carsten Stender, Leiter der Abteilung Europäische und Internationale Beschäftigungs- und Sozialpolitik, Bundesministerium für Arbeit und Soziales**

12.15 **Ende der Konferenz**

*Durch die Veranstaltung führt **Tanja Samrotzki**.*

*Der zweite Konferenztag findet auf Englisch statt.*



# Human rights due diligence obligations along global supply chains: What should EU legislation look like?

## *Menschenrechtliche Sorgfaltspflichten entlang globaler Lieferketten: Wie sollte ein verbindlicher EU-Standard aussehen?*

How can the way businesses manage their social and environmental impacts be changed? Voluntary measures alone are unlikely to have a significant impact or provide effective remedy to those affected. Currently only one in three businesses in the EU are undertaking due diligence which takes into account all human rights and environmental impacts. A level playing field within the single European market is lacking: European companies face fragmented EU sustainability and due diligence requirements and heterogeneous national legislation. An increasing number of European companies are arguing in favour of standardised human rights due diligence rules within the EU. The European Commission has therefore highlighted that sustainability should be further embedded into the corporate governance framework and has launched a legislative initiative.

This workshop will integrate the perspectives of all relevant stakeholders, reflect on the scope and added value of EU legislation, and discuss the priorities for its substance. The aim is to develop proposals for a European due diligence standard that effectively protects right-holders along global supply chains while taking into account legitimate business interests. Concrete outcomes could be the formulation of minimum requirements to close existing human rights protection gaps and considerations in ensuring that EU legislation is workable and proportionate for businesses.

## Strengthening European sector dialogues: How can expertise be pooled meaningfully?

### *Europäische Branchendialoge stärken: Wie kann Expertise sinnvoll gebündelt werden?*

How can the responsibility of companies to respect human rights in global supply chains be strengthened? Dialogue between companies and stakeholders in an industry is one effective way: participating companies operate under the same market conditions and can address the specific core issues of the respective industry in a targeted manner. Additionally, a joint approach enables companies to develop and implement ambitious, systemic measures. Civil society organizations, trade unions and other stakeholders can contribute valuable expertise on human rights. For this reason, sector dialogues are a multi-stakeholder effort. The current trend towards mandatory due diligence does not diminish the importance of sector dialogues – on the contrary, any regulatory framework needs to be complemented by using the engagement and leverage of sector-wide multi-stakeholder cooperation.

European stakeholders in selected sectors can pool their expertise to bring about improvements that national dialogues alone would be unable to achieve. This is why sector dialogues as collaborative, action-oriented platforms are a key element of the “smart mix” that a European Action Plan on human rights and decent work in global supply chains should contain.

This workshop will draw on the expertise of all relevant stakeholders and discuss lessons learned from dialogues at the national and the EU level. It is organized by econsense – Forum for Sustainable Development of German Business, in cooperation with CSR Europe. The aim of the workshop is to demonstrate the added value of European sector dialogues, to shed light on the prerequisites and success factors using examples, and to formulate quality criteria.

## National Action Plans on business and human rights: How to ensure quality and coherence?

### *Nationale Aktionspläne „Wirtschaft und Menschenrechte“ entwickeln: Wie gelingen Qualität und Kohärenz?*

Almost ten years after the adoption of the UN Guiding Principles (UNGP) by the UN Human Rights Council, 15 EU Member States have so far developed National Action Plans (NAPs). These vary greatly in their approaches and have so far remained uncoordinated. While all of them formulate the expectation that companies exercise human rights due diligence, none of the NAPs submitted so far succeed in creating a “smart mix” of binding and voluntary measures. The issue of effective remedies for those affected also remains neglected. In addition to such substantive aspects that need to be improved, the development process and implementation mechanisms also require renewed reflection from a European perspective. In many cases, the development of the national action plans did not meet human rights standards in relation to participation and transparency. Methodological standards for an effective NAP implementation are also lacking.

This workshop, organised by the German Institute for Human Rights, will bring together experts on NAPs and build on their experiences, in order to create better European NAPs. We want to discuss what quality criteria must apply to the development, substance and implementation structures of NAPs and how the EU can use common objectives, measurement tools and benchmarking to ensure more quality and coherence in the implementation of the UNGP through NAPs.

## Eradicating child and forced labour in supply chains: What lessons can be learned and what is the way forward?

### *Kinder- und Zwangsarbeit in Lieferketten bekämpfen: Was sind Lehren und Lösungsansätze?*

There are currently 40 million people in modern slavery and 152 million children in child labour. Enhanced measures are necessary to achieve target 8.7 of the 2030 Sustainable Development Goals, which calls for immediate and effective action to end these unacceptable violations of human rights. Bridging the human rights governance gap in global supply chains will require simultaneous and mutually reinforcing efforts through all existing policy channels.

In addition to laws, sector-specific guidance and other tools, voluntary standards and certification schemes can be part of a “smart mix” to ensure corporate human rights due diligence. Reliable sustainability standards and certifications have the potential to support companies in combating child labour, forced labour and human trafficking. To do so, however, they must meet certain mini-

mum requirements. That said, the individual corporate responsibility to respect human rights cannot be delegated to external service providers or membership organizations.

In this multi-stakeholder workshop, organised by Südwind Institute in cooperation with the International Labour Organization’s Alliance 8.7, we will discuss the potential and limitations of voluntary standard systems as well as linkages with regulatory systems. We want to debate the lessons learned for more credible standards and develop proposals to make them more effective. At the same time, we aim to show which measures beyond voluntary standards are necessary and how different instruments can be linked to enforce the protection of human rights along global supply chains.



## Access to remedy: How to create a holistic system of remedies for corporate human rights violations?

### *Zugang zu Abhilfe: Wie kann ein holistisches System der Abhilfe für Menschenrechtsverletzungen im Verantwortungsbereich von Unternehmen geschaffen werden?*

Discussions on access to remedy in the context of corporate human rights violations are often reduced to the issue of human rights litigation before national courts. While access to courts certainly constitutes a critical component of access to remedy, it is by far not the only one. Access to remedy is multi-faceted and must be understood in very broad terms. For this reason, the UNGP call upon states to foster not only judicial but also non-judicial remedies (Principle No. 31).

In practice, the UNGP have led to the creation of a multitude of new non-State-based remedies. Whereas the increase in the offer of non-judicial remedies is to be welcomed, this development also has its drawbacks: The fragmentation of remedial approaches creates a complex and confusing remedial landscape for remedy seekers to navigate. A holistic approach to access to remedy is therefore required: Judicial and non-judicial remedies are not mutually exclusive, they complement each other. To achieve access to an appropriate and efficient remedy, a coherent system of remedies in business and human rights cases needs to be established that provides victims of corporate human rights abuses in

each specific case with a remedy that is suited to their specific problem. Ideally, the system would guide victims of corporate human rights violations towards the appropriate mechanism.

The workshop, organised by the German Federal Ministry of Justice in cooperation with the EU Fundamental Rights Agency (FRA), will discuss ways to achieve a holistic and efficient system of access to remedy. Starting point will be a presentation of the FRA study “Business and human rights: access to remedy” that identifies factors that obstruct or, conversely, facilitate access to justice in regard to human rights abuses by business. The workshop will then turn the spotlight on the often neglected non-judicial remedies and explore their role in a holistic system of remedies for corporate human rights violations. The linkages between different non-judicial remedies on the one hand and between judicial and non-judicial remedies on the other hand will be explored and the possibilities for different remedies to complement each other so as to form a coherent system of remedies tailored to the specific needs of each individual case will be discussed.