

## What is the National Action Plan (NAP)?

- Adopted by the Federal Cabinet in **December 2016**, runs through 2020.
- Implements the **UN Guiding Principles (UNGP) on Business and Human Rights** (UN Human Rights Council, 2011) along its three main pillars:
  - **Protect** (duty of states)
  - **Respect** (responsibility of business)
  - **Remedy** (rights of those affected by HR violations)
- Feeds into a **global process of UNGP implementation**

## Why is having a NAP a good idea?

- **Strengthens Human Rights**, reflects fundamental commitments
- **More level global playing field**, responsible global value chains, better and fairer globalization
- **Reliable framework** for corporate action
- Growing expectations from **investors, employees, clients, consumers**
- Instrument for companies to **check risks** and **prevent expensive damage**

## What are the connections to the OSCE?

- Most existing NAPS concentrate in the OSCE area (18), although unevenly spread.
- OSCE 2nd dimension commitments in the field of good governance (see i.a. Hamburg MC DEC 4/16, paras 16 to 18)
- OSCE tradition to actively include civil society, efforts to strengthen business involvement in OSCE policies.
- Link between 2nd and 3rd dimension of the OSCE (see joint session on B-HR in Dec. 2015)
- Connects with OSCE action in the field of combatting trafficking in human beings.

## How was the NAP developed?

- 2-years process, led by the **Federal Foreign Office** and supported by a **Steering Committee**:
  - ministries,
  - business associations
  - trade unions
  - NGOs
  - independent national human rights institution
  - business sustainability initiative.
- **Inclusive multi-stakeholder approach**: 11 thematic expert hearings, 3 plenary conferences
- **National baseline assessment** prepared by National Human Rights Institution

## How does the NAP improve good governance?

About **50 measures** to be taken by various public agencies in numerous policy fields, including:

- **fight human trafficking** and exploitative employment
- strengthen sustainability and HR aspects in **trade policy and foreign trade promotion instruments**
- full use of sustainability instruments in **public procurement law** (e.g. 50% of sust. textile by 2020).
- align **Subsidy Policy Guidelines** with UNGP
- **promote NAP processes worldwide**, step up commitment to protect HR defenders

## How does the NAP advance CSR?

„The Federal Government expects all enterprises to introduce the process of corporate due diligence in a manner commensurate with their size, the sector in which they operate, and their position in supply and value chains.“ (NAP, p. 7)

5 core elements of corporate HR due diligence :

- **Policy Statement**
- **Measures to ward off negative impacts**
- **Identification of adverse impact on human rights**
- **Reporting**
- **Grievance mechanism**

## How is NAP implementation monitored?

- Evaluation of business implementation of the core elements of corporate due diligence, on a yearly basis from 2018 to 2020.
- Applies to enterprises with more than 500 employees operating in Germany (ca. 6.300), on the basis of a representative sample.
- Target value: **At least 50% of these enterprises will have incorporated HRDD into their corporate management by 2020.**

„If (...) the target is missed, the Federal Government will consider further action, which may culminate in legislative measures.“

## How does the government assist enterprises?

### Platforms for Information and Counseling

- ✓ Government website on NAP ([www.wirtschaft-menschenrechte.de](http://www.wirtschaft-menschenrechte.de))
- ✓ “NAP Helpdesk” as one-stop-shop for companies ([www.wirtschaft-entwicklung.de](http://www.wirtschaft-entwicklung.de))
- ✓ “NAP-Networks” abroad by embassies, chambers of commerce ...


### Trainings


- ✓ NAP Workshops for companies, in particular SME)
- ✓ funding for educational activities by civil society, in Germany and abroad, such as the Global Compact Network, Business and Human Rights Ressource Centre

### Support for sector dialogues on NAP implementation

- ✓ based on government study on high risk sectors and regions (due in 2019)
- ✓ aimed at developing sector specific guidance

Thank you

 The  
Federal Government

 Business &  
Human Rights

National Action Plan  
Implementation of the UN Guiding  
Principles on Business and Human Rights  
2016 – 2020

