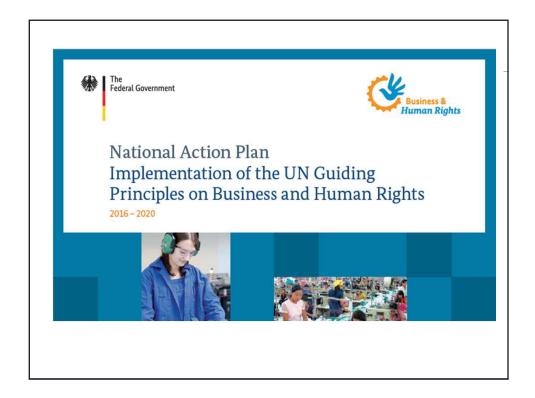
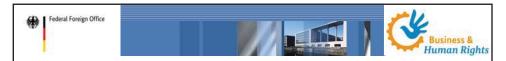
EEF.DEL/30/18 25 May 2018

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Mr. Holger Dreiseitl, Federal Foreign Office, Germany

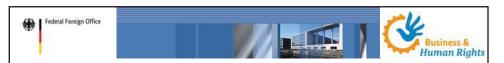






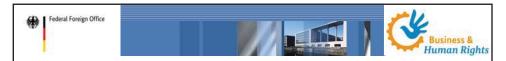
What is the National Action Plan (NAP)?

- 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



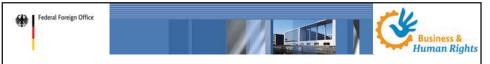
Why is having a NAP a good idea?

- 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 developped?

- 2-years process, led by the Federal Foreign Office and supported by a Steering Comittee:
 - 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 foriegn trade promotion instruments
- full use of sustainability instruments in public procurement law (e.g. 50% of sust. textile by 2020).
- > allign 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, an their position in supply and value chains." (NAP, p. 7)

5 core elements of corporate HR due diligence :

- > Policy Statement
- Identification of adverse impact on human rights
- Measures to ward off negative impacts
- > 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)
- ✓ "NAP Helpdesk" as one-stop-shop for companies (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

