



Improving access to remedy in collaborative approaches: focus on business organisations and multi-stakeholder initiatives

Parallel session

28 November

15:00-18:00

Part 1 : A shared responsibility – Role of business associations on joint remediation and multi-stakeholder collaboration

15:00-16:25

Organized by the Foreign Trade Association, Consumer Goods Forum and IOM

Part 2: Strengthening access to effective remedy: Multistakeholder initiatives reflect on cases and challenges

16:35-18:00

Organized by Swiss Federal Department of Foreign Affairs, Fair Labor Association (FLA), Fair Wear Foundation (FWF), Global Network Initiative (GNI), International Code of Conduct for Private Security Providers (ICoCA) and Institute for Multi-Stakeholder Initiative Integrity (MSI Integrity)

Part 1: A shared responsibility – Role of business associations on joint remediation and multi-stakeholder collaboration.

Focus and objectives: This session aims to:

- Explore the advantages and feasibility of a ‘shared responsibility model’ towards mobilising joint remediation measures via multi-stakeholder collaboration. This form of remedial measures provides the potential for scale and impact by maximizing resources, as well as present opportunities for leverage to improve conditions throughout global supply chains.
- Propose a collective response that we call shared responsibility, in which global and local businesses, governments, international organizations and other stakeholders devise collective solutions and share the financial cost of facilitating remedial measures for some of the most entrenched human rights challenges in global supply chains.
- Focus on a measured and consistent approach towards remediation – emphasising that remediation is not a quick fix solution to address systemic issues at a multi-stakeholder level.

- Reflect on different perspectives on what is needed to successfully implement joint remediation to find sustainable solutions, as well as what challenges may arise during these collaborations.
- Identify the business imperative to understand the concept and implications of access to remedy and what is needed to engage with producers and stakeholders along the whole supply chain.
- Through practical case studies the session will highlight different forms of remedial measures to address supply chain challenges - such as gender-based violence, forced labour and migration, the panellists will share their experiences of joint remediation efforts in Thailand, India, Turkey and Bangladesh
- The session will reflect what balance is needed between using leverage with a producer to address supply chain challenges and exerting concerted pressure. It will further explore the importance of continuous dialogue with producers and stakeholders in sourcing countries to ensure that producers actively implement remedial processes as longer-term measures towards supply chain sustainability.

Discussions will explore innovative ways to support businesses to react better and be better at being proactive and responsive to emerging issues, e.g. by collecting data to predict and identify trends, conduct root cause analysis, etc. In this manner, the chain of remediation efforts is not only addressing actual issues, but are also linked to working towards mitigating, preventing and even anticipating future occurrence.

The panel will also address what solutions and measures joint remediation can provide, e.g.

- Convening the right people (stakeholders, businesses, producers) and tailor the remediation specific to the country and culture, influence, potential conflict of interest, etc.
- Taking responsibility for the facilitation of process
- Empowerment of producers and suppliers to handle remediation on their own and for the longer-term.
- Measuring improvement, e.g. through capacity building training, close dialogue and collaboration with producers and stakeholders, etc.
- Implementing effective monitoring tools, such as auditing, assessments, etc.

Speakers:¹

- **Christian Ewert**, Director General, Foreign Trade Association (FTA) (**Moderator**)
- **Marja Aho**, Sustainability Manager, Alko
- **Mathieu Luciano**, Head, Assistance to Vulnerable Migrants Unit, International Organization for Migration (IOM)
- **Christian Frutiger**, Global Head of Public Affairs, Nestlé S.A.
- **Viviane Schiavi**, Senior Policy Executive, Corporate Responsibility and Anti-Corruption Commission, International Chamber of Commerce (ICC)
- **Giles Bolton**, Responsible Sourcing Director, Tesco

¹ Further information on speakers provided in Annex

Key discussion questions:

Key issues to be addressed include:

- What are the major issues that the private sector faces to implement joint multi-stakeholder remediation in global supply chains?
- How can these efforts be adapted to effectively respond to similar or different situations across countries and sectors?
- What would it take to systemize it?
- What are the innovative and replicable approaches that businesses together with stakeholders can implement towards joint remediation and prevention efforts?
- Should there be more Industry-specific approaches rather than company-specific approaches that are necessary for addressing the most serious human rights risks?
- What opportunities are there for leverage to improve working conditions within the framework of the state's duty to protect and the corporate responsibility to respect human rights?

Format of the session: Through an exchange of ideas and experiences, this session aims at reflecting perspectives from various stakeholders on their role in implementing effective joint remediation via a shared responsibility approach and efforts aimed at enabling long-term solutions. The moderator will ensure that the amount of prepared speaking time is kept to a minimum to ensure there is at least 20 minutes reserved for audience interaction and discussion.

Session Organisers:

FTA

Largest business association of international commerce in Europe that promotes a strong global economy of international trade together with sustainable and responsible supply chain management. It represents nearly 2,000 retailers, brands, importers and national associations with a combined turnover in excess of a trillion euro. FTA has offices in Hong Kong, Dhaka, Mumbai and Istanbul, as well as eight contact groups across Europe. The association supports their international business by providing information and practical solutions towards sustainability in the international supply chain. As FTA members source globally, issues such as forced labour, migration, human trafficking, and challenges faced by female workers in global supply chains are issues that they actively seek to redress and remedy.

Consumer Goods Forum

Global, parity-based industry network that is driven by our members. We bring together the CEOs and senior management of some 400 retailers, manufacturers, service providers, and other stakeholders across 70 countries, and we reflect the diversity of the industry in geography, size, product category and format. Our member companies have combined sales of EUR 3.5 trillion. Our retailer and manufacturer members directly employ nearly 10 million people with a further 90 million related jobs estimated along the value chain. We are governed by our Board of Directors, which includes 50 manufacturer and retailer CEOs and Chairpersons.

IOM

Leading inter-governmental organization in the field of migration and works closely with governmental, intergovernmental and non-governmental partners. With 166 member states, a further 8 states holding observer status and offices in over 100 countries, IOM is dedicated to promoting humane and orderly migration for the benefit of all. It does so by providing services and advice to governments and migrants. IOM works to help ensure the orderly and humane management of migration, to promote international cooperation on migration issues, to assist in the search for practical solutions to migration problems and to provide humanitarian assistance to migrants in need, including refugees and internally displaced people.

Part 2: Strengthening access to effective remedy: Multistakeholder initiatives reflect on cases and challenges

Brief description: This session organized by Organized by Swiss Federal Department of Foreign Affairs, Fair Labor Association (FLA), Fair Wear Foundation (FWF), Global Network Initiative (GNI), International Code of Conduct for Private Security Providers (ICoCA) and Institute for Multi-Stakeholder Initiative Integrity (MSI Integrity) will discuss, in two sets of multi stakeholder initiatives, their remedy function. Approaches in two key areas will be compared and contrasted: their role in strengthening industry mechanisms, including guidance on appropriate policies; and their organizational mandate to provide access to remedy for violations of their standards.

Background to the discussion: Starting out: from governance charter mandate to mechanism: the ICoCA and GNI reflect on progress and challenges. What are some of the challenges associated with developing effective grievance mechanisms for a service oriented industry sector? How do you engage with member companies to ensure they have adequate grievance mechanisms in place, and what benchmarks do you use to gauge effectiveness? How does this inform your approach to your MSI's own grievance mechanism? What are some of the key questions and challenges you have faced in elaborating your approach to remedy?

The session will subsequently turn to the following questions: How a remedy mechanism can strengthen overall standards setting and compliance: the FLA, FWF and MSI Integrity discuss mature mechanisms in manufacturing and agricultural sectors. How does the remedy function fit within the MSI's larger effort to set and enforce standards? How are your mechanisms used – for what issues and by whom, and with what outcomes? What are the challenges faced in ensuring access to the mechanism for workers and unions? Based on your experiences, what are some emerging benchmarks for remedy mechanisms in the manufacturing and agriculture sectors?

Session objectives: Four accountability oriented multistakeholder initiatives discuss their remedy function, comparing and contrasting approaches in two key areas: their role in strengthening industry mechanisms, including guidance on appropriate policies; and their organizational mandate to provide access to remedy for violations of their standards.

Key discussion questions:

For entire panel:

- Based on your differing approaches, trajectories and level of development, what common benchmarks can we identify for the role of the remedy function within an accountability oriented MSI?
- What are some of the most important ways in which this function fills existing gaps? Limitations?
- Ongoing challenges?

Open discussion session:

- How do we make grievance mechanisms sustainable in terms of workload, expense, and consistency across different countries?
- How can we link the lessons learned from the grievance cases to build capacity at the local level (particularly government institutions) to handle these cases?

Speakers:²

- **Meg Roggensack**, board member of the FLA, GNI, and ICOCA. **(Moderator)**
- **Remy Friedmann**, Board Chair, ICoCA and Senior Advisor, Human Security and Business, Human Security Division, Swiss Federal Department of Foreign Affairs
- **Judith Lichtenberg**, Executive Director, GNI
- **Jorge Perez-Lopez**, Senior Advisor, FLA
- **Margreet Vrieling**, Associate Director, FWF
- **Madeline Hung**, Research Coordinator, MSI Integrity

Format of the session: Discussion in two parts, the first focused on the ICoCA and GNI and the challenges of starting out; the second focused on more mature grievance mechanisms from manufacturing and agriculture sectors. All panelists will compare and contrast experiences, and provide insights about emerging good practice and benchmarks. The moderator will then open the discussion to all attendees to consider issues of access and strengthening local capacity

Background material

- International Code of Conduct for Private Security Providers Association: <https://icoca.ch/en/complaints>
- Fair Labor Association: <http://www.fairlabor.org/transparency/safeguards>
- Fair Wear Foundation: <https://www.fairwear.org/resources/>
- MSI Integrity: <http://www.msi-integrity.org/wp-content/uploads/2017/09/EITI-Accountability-and-Grievance-Mechanisms-Workshop-Report-MSI-Integrity.pdf>

² Further information on speakers provided in Annex

ANNEX. SPEAKERS SHORT BIOS.

PART 1.

Christian Ewert

Director General of the Foreign Trade Association (FTA)

Christian Ewert is the Director General of the Foreign Trade Association (FTA), the leading business association of European and international commerce that promotes the values of free trade and sustainable supply chains. Prior to his role at FTA, Christian worked as President and CEO of ICTI CARE Foundation, the International Council of Toy Industries' (ICTI) programme to promote social compliance in the supply chain producing for the toy and children's products industry. He previously worked as the Chief Operating Officer and Member of the Board of Zapf Creation and for more than 10 years he held the position of Managing Director and Chairman of North Sails Lanka.

Giles Bolton

Responsible Sourcing Director, Tesco

Giles leads a team of 42 full-time human rights and environmental experts around the world, responsible for ensuring good working conditions and sustainable sourcing across Tesco's supply chain. He is co-chair of the Consumer Goods Forum Social Sustainability working group on forced labour, on the Board of the Ethical Trading Initiative and chairs the aid transparency NGO Publish What You Fund. Prior to joining Tesco, he worked for the UK Govt's Department for International Development for ten years, including in Kenya, Rwanda and Iraq and is author of the activist book 'Aid and Other Dirty Business'.

Viviane Schiavi

Senior Policy Executive, Corporate Responsibility and Anti-Corruption Commission, International Chamber of Commerce (ICC)

Viviane Schiavi is a member of the New York Bar, with over 20 years' experience in international commercial law and international policy. Ms. Schiavi, a dual American-French national, is a graduate of Bard College and of the City University of New York Law School. She practiced international commercial law in New York City and with Arthur Andersen International in Paris before joining the International Chamber of Commerce (ICC).

The International Chamber of Commerce (ICC) is the world's largest business organisation with a network of over 6 million members in more than 100 countries. ICC is the only business organisation to have observer status with the UN General Assembly. Ms. Schiavi is Senior Policy Manger for Corporate Responsibility and Anti-corruption. She is responsible for managing ICC's international programme in the area of corporate responsibility and anti-corruption, including overseeing the development of ICC's tools and policy recommendations in the area.

Marja Aho

Sustainability Manager, Alko

Marja Aho is Sustainability Manager at the state-owned retail monopoly Alko in Finland, a significant buyer of alcoholic beverages. Her team safeguards the implementation of Alko's external Code of Conduct throughout the supply chain. Team also works in close cooperation with the Assortment and Purchasing department at Alko. In addition to human rights and labor issues, focusing also on minimizing the environmental impact of the products sold by Alko.

Marja is a member in a social sustainability group within the Nordic Alcohol Monopolies, including Norway, Sweden, Iceland and the Faeroe islands, and was recently elected as a Chair for the Finnish National Contact Group of FTA.

Marja holds MBA in International Business Management.

Christian Frutiger

Vice President, Global Head of Public Affairs, Nestlé S.A.

Christian Frutiger is the Global Head of Public Affairs and leads the Company's efforts in Creating Shared Value (CSV) in all focus areas: individuals and families, communities and planet. He is also in charge of stakeholder engagement, issue and crisis management.

Christian serves on the boards of the Sustainable Trade Initiative (IDH) and the UN Global Compact LEAD group and is a member of the Swiss Government's Advisory Commission on International Cooperation. He joined Nestlé in 2007 following almost 20 years of experience across all continents in the social, humanitarian and development sector, mostly with the International Committee of the Red Cross.

Christian holds an MSc in Communications Management. He speaks German, English, French, Spanish, and Russian.

Mathieu Luciano

Head, Assistance to Vulnerable Migrants Unit, International Organization for Migration (IOM)

Mathieu Luciano works for the International Organization for Migration (IOM) in Geneva. He is heading the Assistance to Vulnerable Migrants Unit, which covers IOM's anti-trafficking portfolio. Mathieu has been working for IOM for 15 years in various field offices, including IOM's Regional Office for the Middle East and North Africa in Cairo, IOM Indonesia, and IOM's Liaison Office to the EU in Brussels.

PART 2.

Meg Roggensack

Senior Advisor, Business and Human Rights, International Corporate Accountability Roundtable

Ms. Roggensack's work focuses on multi-stakeholder initiatives and public private partnerships relating to human rights and development. Meg previously served as Senior Advisor for Business and Human Rights at Human Rights First where she played a key role in the development of a number of multi-stakeholder initiatives including the Global Network Initiative and the International Code of Conduct for Private Security Service Providers, and serves on these boards as well as the board of the Fair Labor Association as a civil society representative. Prior to joining Human Rights First, Meg practiced law with Hogan and Hartson (now Hogan Lovells) in the United States, chairing the firm's Latin America Practice Group. Meg is an Adjunct Professor of Law at Georgetown University in Washington, DC, where she teaches a course on business and human rights. She is a member of the Executive Committee of the Teaching Business and Human Rights Forum.

Judith Lichtenberg

Executive Director, Global Network Initiative

As Executive Director of the Global Network Initiative, Judith leads a dynamic multi-stakeholder human rights collaboration, building consensus for the advancement of freedom of expression and privacy amongst technology companies, academics, human rights and press freedom groups and socially responsible investors. Based in Amsterdam, Judith brings to GNI extensive experience from her private sector career in telecommunications policy and regulation in Europe, and her work in civil society advocating for human rights.

Before joining the GNI, Judith was Head of Regulatory Affairs & Digital Rights at Vodafone Netherlands in Amsterdam, where she worked in a variety of roles since 2008, including Head of Privacy & Sustainability and before that as Head of Legal Affairs. She managed external stakeholder relationships and advised on regulatory policy, strategy and digital rights issues.

Judith has served as Executive Director of the Lawyers for Lawyers Foundation, a Dutch NGO advocating for lawyers around the world who are threatened or suppressed in the exercise of their profession. She continues to serve on the L4L Board and she is also a member of the Academic Advisory Board of the Institute for Information Law of the University of Amsterdam.

She served as an international election observer in Ukraine, Armenia and Kazakhstan, and was a law clerk with the International Criminal Court in The Hague, and for the International Criminal Tribunal for Rwanda in Arusha.

Judith graduated in civil and public international law from the University of Amsterdam, specializing in international criminal law and justice at the Amsterdam Law School.

Jorge Perez Lopez***Senior Advisor, Fair Labor Association.***

Jorge Perez-Lopez is primarily responsible for the implementation of the FLA Third Party Complaint procedure. Prior to his current position, he was Executive Director of the FLA, and had a three-decade career as a civil servant at the Bureau of International Labor of the U.S. Department of Labor .

Margreet Vrieling***Associate Director, Fair Wear Foundation***

Margreet Vrieling has a background in international cooperation with a focus on labour rights and the social aspects of sustainability.

Before joining Fair Wear Foundation in 2010, she worked at the international department of a trade union for almost a decade, taking part in ILO conferences in the delegation of the Netherlands. Moving to Fair Wear Foundation meant shifting her focus from global policies and decent work, to working directly with clothing companies and factories on issues of corporate social responsibility and improving conditions on the factory floor. Initially, Margreet was responsible for FWF's work in Bangladesh and Turkey and contact person for member companies. Since 2013 Margreet has been heading the verification team. Since 2016 she is Associate director at Fair Wear Foundation.

Madeline Hung***Research Coordinator, MSI Integrity***

Madeline Hung serves as Research Coordinator at MSI Integrity where she currently manages the organization's work on affected community experiences of MSIs in the agricultural, manufacturing, and extractive industries. In her role, Madeline supports MSI Integrity's field research and report writing in Cameroon, Nigeria, and the Philippines. Previously, Madeline worked in Oxfam America's Private Sector Department where she conducted research and evaluation for the Behind the Brands campaign.

Rémy Friedmann***Senior Advisor, Swiss Federal Department of Foreign Affairs.***

Rémy Friedmann is deputy head of the human rights policy office and Senior Advisor on business and human rights at the Swiss Federal Department of Foreign Affairs since 2011. He is also the chair of the Board of the association of the International Code of Conduct for Private Security Service Providers (ICoCA).