

Healthy Ecosystems and Human Rights

Questionnaire of the Special Rapporteur, Mr. David Boyd

- 1. Please provide examples of ways in which declining biodiversity and degraded ecosystems are already having adverse impacts on human rights. Adversely affected rights could include, among others, the rights to life, health, water, food, culture, non-discrimination, a safe, clean, healthy and sustainable environment, and Indigenous rights.*

The interlinkages between the loss of biodiversity and the impacts on livelihoods and on human wellbeing are already evident throughout the world. The more peoples' livelihoods and the fulfilment of a wide range of their human rights (including the right to health, food and water) directly depend on ecosystem services and goods, the faster and more dramatic these impacts may occur when biodiversity and ecosystems degrade.

Examples of such detrimental impacts exist in many terrestrial and marine ecosystems: Industrialised as well as illegal and uncontrolled fisheries have contributed to the severe decline in many marine resources, affecting artisanal fisheries and people depending on them. Large-scale and unsustainable logging and land-use change can also deplete income sources and threaten the right to food and food security of local populations. These impacts are directly caused by the destruction of ecosystem services and the loss of access to timber and non-timber forest products. Furthermore, deforestation and habitat degradation often show secondary effects, such as negative impacts on people's human right to water and food due to reduced access to and availability of clean water (e.g. by reducing groundwater recharge) or declined fertility of agricultural areas (e.g. due to changes in microclimate, increased floods or droughts). In addition, the degradation of coastal and marine ecosystems, like coral reefs or mangroves, destroys a natural protection against extreme weather events. The pollution of ecosystems (e.g. through gold mining) can affect large landscapes by poisoning fresh water sources and entire food chains.

But even the gradual degradation of ecosystems and the loss of species can have immense consequences: Local populations and indigenous peoples, especially in developing countries, often rely on traditional medicine, which depends on a wide range of wild plant and animal species. Illegal harvesting, trade in many of those species, as well as the loss of suitable habitats is negatively impacting healthcare systems for millions of people and thus their right to health. Even on a global scale, such dependencies have become obvious. A striking example is the decline in insects and other pollinators, which gives rise to worries about negative economic impacts on agricultural production.

As of 2014, 1.5 billion people are affected by land degradation. The consequences range from declining yields to the complete loss of land for agricultural use. Every year, an estimated 5 to 10 million hectares of land worldwide lose their capacity to grow food, due to processes such as wind and water erosion, salinization and soil contamination.

Another problem is the drainage of peatlands. This may significantly increase the risk of long-lasting wildfires, which affect the healthy environment and, thus, the human right to life and

health. The burning and smouldering of peat lead to increased levels of harmful PM2.5 concentrations above the recommended levels of the WHO Air Quality Guidelines. This may cause a range of air pollution-related diseases (among others: respiratory, cardiovascular and lung cancer) and premature mortality. Peatland degradation signifies a long-term degradation of its ecosystem services, among others the storage of carbon. It affects the global climate through GHG-emissions and contributes to the negative effects of climate change (like water scarcity and extreme weather events), on a wide range of human rights.

These interlinkages are also recognized by international legal bodies. Recently, the UN Human Rights Committee stated in its ‘views’ on an individual complaint lodged by a Kiribati national that countries may not deport individuals who face climate change-induced conditions (including impacts on ecosystems such as salinization or land degradation) that violate the right to life.¹ Even though the Committee did not find a violation in this case, the ‘views’ illustrate the adverse effects of climate change on healthy ecosystems and human rights.

The European Court of Human Rights has in the past developed extensive case law in the field of human rights and the environment. It has demonstrated that environmental pollution or degradation can constitute a violation of human rights, such as the right to life or health.²

2. *To protect a wide range of human rights, what are the specific obligations of States and responsibilities of businesses in terms of addressing the main direct drivers of harm to biodiversity and ecosystems (e.g. land conversion, loss and degradation of habitat, climate change, overexploitation, pollution, invasive species) and the indirect drivers (unsustainable production and consumption, rapid human population growth, trade, conflict and inequality)?*

Any attempt to answer this question will run the risk of greatly oversimplifying matters: The conservation and sustainable use of biological diversity, just as environmental protection in general, are issues that require integration into a whole number of different policies and sectors (see e.g. Article 6 lit. b Convention on Biological Diversity (CBD), Article 11 Treaty on the Functioning of the European Union).

A multitude of aspects comes into play: First, nature conservation and landscape management legislation creates specific obligations for the respective competent authorities as well as for private entities with regard to issues such as loss and degradation of habitat, overexploitation and invasive species. Second, basically all provisions of environmental law aim to tackle one or several drivers of harm to biodiversity and ecosystems. Drivers such as climate change or pollution, for example, are each addressed by specific and diverse branches of environmental law. Third, obligations established to tackle drivers such as land conversion also flow from

¹ ‘Views adopted by the Committee under article 5 (4) of the Optional Protocol, concerning communication No. 2728/2016, adopted by the Committee at its 127th session, 14 October – 8 November 2019’, Doc. CCPR/C/127/D/2728/2016, 7 January 2020.

² European Court of Human Rights, March 2019: Factsheet – Environment and the European Court of Human Rights, https://www.echr.coe.int/Documents/FS_Environment_ENG.pdf.

legislation outside the realm of what is traditionally considered “environmental law”, such as zoning laws or forestry law. Fourth, it would seem obvious that, with a view to many indirect drivers, the legal obligations of public and private entities are even harder to summarise as they flow from many sources that, in themselves, are not necessarily linked to the goal of biodiversity conservation as such: Many societies tend to consider topics like trade, conflict and inequality as issues to be dealt with in their own right.

To address the main drivers, obligations and responsibilities should be based on and further implement, fundamental environmental principles, such as the ecosystem principle, the precautionary principle and the best-available science approach.

3. *Please provide specific examples of constitutional provisions, legislation, regulations, policies, programs or other measures that employ a rights-based approach to prevent, reduce, or eliminate harm to biodiversity and ecosystems or to restore and rehabilitate biodiversity and ecosystems.*

In Germany, a rather sophisticated system focusing on procedural rights and on providing access to justice has been established by the environmental legislator. In particular, it provides non-governmental organisations with the right to participate in a broad range of administrative and/or regulatory procedures in the field of nature conservation and landscape management law. Examples are Section 63 Federal Nature Conservation Act³ and the respective provisions contained in the nature protection laws of some of the federal entities – the *Länder*.

Furthermore, German law provides a right to challenge the outcomes of these procedures in court (see the Environmental Appeals Act,⁴ Section 64 Federal Nature Conservation Act and the respective provisions contained in the nature protection laws of some of the *Länder*). Specific examples can also be found in Germany’s 2017 National Report on the Implementation of the Aarhus Convention.⁵

Human rights also shape Germany’s development policy objectives: The German Strategy on Human Rights in German Development Policy underscores the significance of human rights as a guiding principle and cross-cutting issue in German development policy and is binding for Germany’s official implementing agencies

4. *If your State is one of the 156 UN Member States that recognises the right to a safe, clean, healthy and sustainable environment, has this right contributed to protecting,*

³ Section 63 Bundesnaturschutzgesetz.

⁴ Umweltrechtsbehelfsgesetz, published in BGBl. I 2017, p. 3290. Text is available at: https://www.bgbl.de/xaver/bgbl/start.xav#_bgbl_%2F%2F*%5B%40attr_id%3D%27bgbl117s3290.pdf%27%5D_1589966294110.

⁵ This report is published at: https://aarhusclearinghouse.unece.org/national-reports/reports?field_nr_report_language_aux_2_value=en&field_nr_report_language_aux_value=en&field_nr_q_year_target_id_verf%5B%5D=16725&field_nr_party_target_id_verf%5B%5D=17480&combine.

The next Report is currently prepared and will be submitted in 2021.

conserving and restoring biodiversity and healthy ecosystems? If so, how? If not, why not?

Germany would like to clarify that it does not recognise the right to a safe, clean, healthy and sustainable environment as a basic right in constitutional terms. The German legal system follows a comprehensive approach to protect the environment in the public interest in all its branches. To this end, the *Grundgesetz* – the German constitution – recognises the protection of the environment as a national objective or state goal in its Article 20a. Consequently, the rules and laws in all sectors have to adhere to this goal of protecting the environment, ensuring an effective and holistic approach when implementing environmental protection. This approach is also applied by Article 37 Charter of Fundamental Rights of the European Union.

Germany does not share the view that ratifying the Aarhus Convention constitutes a recognition of the right to a safe, clean, healthy and sustainable environment. That preambular reference to the “right to live in an environment adequate to [...] health and well-being” constitutes an aspirational goal. It does not recognise the right as such, nor does this aspiration require the acceptance of such a right.

- 5. Please provide specific examples of good practices in preventing, reducing, or eliminating harm to biodiversity and ecosystems, or restoring and rehabilitating biodiversity and ecosystems. These examples may occur at the international, national, sub-national, or local level. Where possible, please provide evidence related to the implementation, enforcement, and effectiveness of the good practices (e.g. measurable outcomes such as increases in terrestrial and marine protected areas, increases in Indigenous and Community Conserved Areas, declining rates of deforestation and poaching, or progress in the recovery of species that were previously threatened or endangered).*

There are, for instance, many examples of successful renaturation projects relating to degraded peatlands in Germany and in many other countries. The restoration of peatlands can reduce the probability of wildfires, as the peat body is rewetted and no longer in danger of burning. Consequently, detrimental effects of wildfires on human health can be prevented. In the long run, the renaturation leads to a decrease in GHG-emissions and therefore a reduced impact on climate change.

With regard to business and biodiversity, there is a variety of good practices in Germany, which, however, are not being centrally registered at the federal level.⁶

⁶ Initiatives for business and biodiversity that were/are initiated and supported by the German Federal Ministry for the Environment can be found here:

https://biologischevielfalt.bfn.de/fileadmin/NBS/documents/UBI/UBi_2020_English_2018_bf.pdf

<https://www.business-and-biodiversity.de/en>

In the field of agriculture, an example for a good practice is organic agriculture. Since no pesticides and no mineral fertilisers are used, it often shows higher levels of biodiversity. Given the additional value for biodiversity, the climate and the environment, Germany is aiming for a 20 percent share of organic farming in agricultural land overall by 2030. Some of the *Länder* have their own action plans for organic agriculture with more ambitious objectives.⁷

In the field of forestry, the project “Promoting the integration of nature conservation into sustainable forest management at the policy, practice and research levels”, has created tools for integrating biodiversity into sustainable forest management (so-called “marteloscopes”), a European network for sharing and promoting good practices and a network of demonstration sites.⁸

Another concrete, government-funded example, is the project “wildcat’s leap”. It consisted of collecting 2,888 hair samples of wildcats at 122 study sites in ten *Länder* to learn about the wildcats’ distribution and to build up a wildcat gene database. Using this information, in five *Länder*, 25,000 trees and shrubs were planted to create new green corridors as part of a coherent forest network that allows the migration and expansion of wildcat populations throughout Germany.

Germany also pursues nature conservation in the global south where much of our planet’s biodiversity is found. To this end, Germany has pledged and since 2013 annually spent EUR 500 Mio. in development assistance for international biodiversity conservation. One program is the International Climate Initiative (“IKI”) of the German Federal Ministry for the Environment, which successfully supports numerous conservation projects at the international level. IKI aims at promoting conservation concepts that have been proven to be effective (e.g. protected areas management), piloting new and innovative approaches and promoting mainstreaming of biodiversity in other relevant sectors (e.g. agriculture). Experiences and outcomes of IKI projects are incorporated in regional and international knowledge management tools⁹ to provide lessons learned and to support learning across the globe.¹⁰

Other relevant programs are undertaken by the German Federal Ministry of Economic Cooperation and Development. They specifically focus on supporting local and indigenous communities. One project situated in indigenous territories in the Amazon, for example, promotes the knowledge of how to develop territorial and environmental management plans, to strengthen indigenous capacities to develop these plans independently.¹¹ This empowers the local communities to assert claims to their land and to protect biodiversity. These goals of empowering local communities to articulate their territorial demands and to protect

⁷ For example, Hessen wants to achieve 25% until 2025, Bavaria 30% until 2030. See also further information at: https://www.bmel.de/SharedDocs/Downloads/EN/Publications/Organic-Farming-in-Germany.pdf;jsessionid=320F14B50B664F2161F4210AC7269B02.intranet921?__blob=publicationFile&v=4.

⁸ For more information, please see <https://informar.eu/>

⁹ An example of such a management tool is the PANORAMA platform. For further information, please consult: <https://panorama.solutions/en>

¹⁰ Further, the evaluation of project impacts is an integral part of IKI implementation contributing to the effectiveness and assuring the sustainability of project activities. For further information, please consult: <https://www.international-climate-initiative.com/en/projects>.

¹¹ (Planos de Gestão Territorial e Ambiental- PGTAs).

biodiversity as the basis of their livelihoods are also furthered by another project, which supports the creation of an online platform for territories of traditional communities in Brazil. A further project, in Guatemala, supports regional advocacy for the ratification of the Escazú Agreement, greater attention to the UN Guidelines on Business and Human Rights, and the integration of environmental aspects into the human rights' due diligence of companies.

6. *Please identify specific gaps, challenges and barriers that your government, business, organisation has faced in attempting to employ a rights-based approach to preventing, reducing, or eliminating harm to biodiversity and ecosystems.*

Traditionally, in the German judicial system, access to justice is subject to the condition that the entity seeking such access can claim to have had its own “subjective” rights infringed by the measure (or the failure to act) it wishes to challenge. Examples of such subjective rights which could have been infringed, are the rights to have one’s life, health or property respected and protected. However, in some cases measures which may be harmful to biodiversity or ecosystems as such do not (or at least not directly) affect such “subjective” rights of specific individuals or their organizations.

To mitigate this restriction of the traditional understanding of access to justice, Germany has adopted the German Environmental Appeals Act,¹² which grants recognised environmental associations a more far-reaching right of access to courts in environmental matters.

7. *Please specify ways in which additional protection is provided (or should be provided) for populations who may be particularly vulnerable to declining biodiversity and degraded ecosystems (e.g. women, children, persons living in poverty, members of Indigenous peoples and local communities, older persons, persons with disabilities, ethnic, racial or other minorities and displaced persons). How can these populations be empowered to protect and restore declining biodiversity and degraded ecosystems?*

The recognition of rights and interests of indigenous peoples and local populations as well as their protection is fundamentally important in German development cooperation and in international conservation approaches: International biodiversity conservation projects integrate participatory approaches to the highest extent possible (e.g. in protected area management). By integration and active participation of all relevant stakeholders, including vulnerable and minority groups, those projects aim at improving the livelihoods of these groups, enhancing benefits and capacities as well as the recognition of legal rights, in particular for those who depend on biodiversity and ecosystems services. These communities are furthermore often key stakeholders: They are not only dependent on these ecosystems, but also represent important key partners for biodiversity conservation. Implementing partners

¹² Umwelt-Rechtsbehelfsgesetz.

have to ensure that local partners play a major role in project implementation and they have to adhere to a systematic, binding safeguards policy.¹³

There are several examples of IKI projects¹⁴ with a strong focus on protection and participation of local people.¹⁵ One project aims to support indigenous peoples' and community conserved areas and territories as a contribution to achieving targets 11, 14 and 18 of the CBD Aichi 2020 framework. Other projects support other specific indigenous groups in their efforts to conserve biodiversity.¹⁶ Further projects specifically focus on the impacts of climate change and its results on indigenous communities.¹⁷ One of these i.a. developed and implemented more efficient strategies for conserving biological diversity in indigenous areas of the Amazon.

Other projects of German development cooperation are also relevant examples. One project focuses on the violation of the collective rights of indigenous peoples and on the need for collective prevention and response mechanisms, mainly in cases relating to biodiversity, environmental and land issues.¹⁸ Another project supports a youth project¹⁹, in which 400 children and young people from 26 schools exercised their right to express and participate to become part of the city-wide online and offline youth climate movement. In another project, Germany supported the design of a digital knowledge platform to support the local communities and indigenous peoples' platform (LCIPP) of the UNFCCC, in furthering effective participation of indigenous peoples and local communities and their traditional knowledge in climate action.²⁰ Germany has also supported an international thematic workshop that developed human rights recommendations for the open-ended working group on the development of the global framework on biodiversity post-2020.

A last project supports the conservation of the unique Hin Nam No National Protected Area in the Khammouane province in Laos, on which about 20 local communities depend for their livelihood. Local authorities and the local inhabitants are to be enabled to manage the protected area jointly. Germany supports i.a. the building up of government management capacities as well as the recruiting and training of local wildlife and forest rangers.

¹³ This is to ensure that a high portion of the overall project funding directly benefits the key stakeholders. In order to avoid potential negative impacts of projects on people or the environment, since 2017, IKI has applied a systematic, binding safeguards policy, which organisations agree to adhere to in the planning and the implementation of IKI projects (GCF Safeguards System, interim IFC Performance Standards).

¹⁴ International Climate Initiative. See above at Question 5.

¹⁵ Please consult <https://www.international-climate-initiative.com/en/projects> for detailed information.

¹⁶ See the projects "Compensatory Payments for the Protection of Indigenous Community Forests within the context of Peru's Tropical Forest Programme (CBC II)", and "Indigenous and afro-descendant women conserving biodiversity in north-western Colombia".

¹⁷ See the projects "Fishing for Climate Resilience: Empowering vulnerable, fisheries dependent communities adopt ecosystem-based-adaptation measures to secure food and livelihoods", and "Incorporating the "Amazon indigenous REDD+ proposal" into climate change strategies".

¹⁸ Germany supports the Global Campaign Against the Criminalization and Impunity of Indigenous Peoples. For more information, see <https://www.indigenousrightsinternational.org/index.php/en/>.

¹⁹ #GENSALIM (Climate Conscious Generation).

²⁰ Factsheet 2019: Indigenous peoples and climate action: BMZ activities to strengthen indigenous peoples' rights:

http://www.bmz.de/de/zentrales_downloadarchiv/themen_und_schwerpunkte/klimaschutz/01_factsheets/en/BMZ_Indigene_Klimaschutz_en.pdf.

8. *How do you safeguard the rights of individuals and communities working on biodiversity issues (potentially identified as environmental human rights defenders or land defenders)? What efforts has your Government made to create a safe environment for them to freely exercise their rights without fear of violence, intimidation, or reprisal?*

Germany has implemented Article 3, para 8 Aarhus Convention. The free exercise of the rights pursuant to this Article (including the prohibition of discrimination in Article 3, para 9 of the Convention) is guaranteed constitutionally by the principle of the rule of law enshrined in Article 20 para 3 *Grundgesetz* and by the fundamental rights enshrined in the *Grundgesetz*, especially the prohibition of discrimination in Article 3. Article 19 para 4 *Grundgesetz* provides for effective recourse to the courts should any person's rights be violated by a public authority.²¹

Furthermore, the European Union has adopted a Directive on the protection of persons who report breaches of EU law,²² which will be, inter alia, of high importance for whistle-blowers intending to protect the environment.

9. *There is substantial evidence that consumption in high-income States is adversely affecting biodiversity and ecosystems in low and middle-income States. What are ways in which high-income States should assist low-income States in responding to biodiversity loss and ecosystem degradation, while simultaneously contributing to sustainable development in those low-income States?*

As ways in which high-income States should assist low-income States, Germany envisages, i.a.:

- cutback of harmful subsidies,
- incentives (push and pull) for lowering environmental footprint in high- and low-income countries,
- cutting back on outsourcing environmentally damaging industries to developing countries with poor environmental and social standards,
- promoting sustainable supply chains,
- halting the expansion of unsustainable business models which harm both biodiversity and human rights,
- assisting with nature conservation, clean industries, sustainable agriculture, sustainable fisheries, forestry and environmental policy with strong consideration and safeguarding of human rights issues.

²¹ See Germany's 2017 National Report on the Implementation of the Aarhus Convention (see answer to Question 3).

²² Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law, published 26.11.2019 in the Official Journal of the European Union, No. L 305, page 17. This Directive has to be implemented by EU Member States by 27.11.2021.

IKI has been financing climate and biodiversity projects in developing, newly industrialising and countries in transition since its beginnings. One funding area focusses on “conserving biological diversity” and IKI supports partner countries to implement the CBD Aichi Targets. Conversely, the conservation of biological diversity also plays a key role in projects on ecosystem-based adaptation and natural carbon sinks.²³ These efforts provide various co-benefits, especially the improvement of living conditions in partner countries. Furthermore, to stimulate sustainable developments in partner countries, IKI funds specific and innovative concepts, such as the promotion of biodiversity-friendly and sustainable agricultural production schemes, the development of fair value chains or the implementation of „green” finance instruments.²⁴

Projects by the German Federal Ministry of Economic Cooperation and Development create value for nature and people alike: The BioInnovation Africa initiative supports the establishment of European-African business partnerships for innovations and products based on natural ingredients, while adhering to high ethical, social and ecological standards. It aims to better protect Africa's biological diversity and to create more local jobs and more sustainable products for Europe.

Both developing and industrialized countries benefit from a global multi-donor partnership – the “ABS Initiative”: The developing countries, which are often providers of genetic resources, receive a fair return, such as money or services like technology transfer. The industrialized countries, the majority of which are users of genetic resources, receive reliable access on the basis of a trade agreement and are no longer subject to accusations of biopiracy.

10. For businesses, what policies or practices are in place to ensure that your activities, products, and services across the entire supply chain (extraction/sourcing, manufacturing, distribution, sale, and end-of life management) minimize biodiversity loss and ecosystem degradation and meet human rights standards, especially those articulated in the Guiding Principles on Business and Human Rights?

Germany adopted guidelines on deforestation-free supply chains to eliminate deforestation from the production and importation of agricultural products. The guidelines are a response to the 2019 Communication of the European Commission on “Stepping up EU Action to Protect and Restore the World’s forests”.²⁵ They build on Germany’s leading role in promoting dialogues and partnerships with companies, governments, civil society, indigenous peoples and other stakeholders in Europe and internationally through Germany’s active role in the Amsterdam Declaration, the New York Declaration and the Tropical Forests Alliance 2020.

²³ Funding areas II and III of IKI.

²⁴ Relevant IKI projects in this regard are:²⁴

- “From farm to fork: Mainstreaming biodiversity into food value chains”,
- “Private Business Action for Biodiversity”
- “Impact Investment”.

Please consult <https://www.international-climate-initiative.com/en/projects> for detailed information.

²⁵ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52019DC0352&from=EN>.

Additionally, Germany is piloting innovative approaches, which:

- support companies to trace their supply chains back to the farm level by simultaneously monitoring and reducing deforestation,
- assess the progress of the private sector in implementing deforestation-free supply chains,
- support farmers in conflict-affected areas to identify sustainable land-use systems in a participatory way, which prevent and mitigate the human rights-related risks and contribute to land-based climate change mitigation,
- support state-based grievance redress mechanisms and reporting systems on safeguards in reducing emissions from deforestation and forest degradation and the enhancement of forest carbon stocks (REDD+),
- address the strengthening and expansion of biodiversity-related instruments within the private sector.²⁶

Germany has adopted a wide range of laws and policies to minimize biodiversity loss and ecosystem degradation and to meet human rights standards in the business context. One specific policy example is the National Action Plan on Business and Human Rights (NAP) to implement the UN Guiding Principles on Business and Human Rights.²⁷ The NAP lists around 50 measures that the German government commits to implement to do even more to uphold the state's duty to protect human rights, particularly in the business context. At the same time, the NAP lays down German companies' responsibility to respect human rights in a fixed framework for the first time. The government herein expects companies to adhere to their human rights obligations and to respect human rights along supply and value chains in a manner commensurate with their size, the sector in which they operate and their position in the supply and value chains. The compliance of businesses is assessed in a monitoring²⁸. If the monitoring finds the voluntary commitment of companies to be lacking, the government will subsequently consider introducing legislative measures.²⁹

²⁶ One project in this regard is "Business Cooperation and Biodiversity in Central America and Dominican Republic (DABio II)". The cooperation with key actors from government, science, civil society and the private sector in Central America contributes to the protection and sustainable use of the biodiversity of terrestrial and marine ecosystems.

²⁷ <https://www.auswaertiges-amt.de/en/aussenpolitik/themen/aussenwirtschaft/wirtschaft-und-menschenrechte>

²⁸ <https://www.auswaertiges-amt.de/en/aussenpolitik/themen/aussenwirtschaft/wirtschaft-und-menschenrechte/monitoring-nap/2131054>.

²⁹ The objective is to determine whether at least half of all companies in Germany with more than 500 employees will have adequately integrated the core elements of human rights due diligence into their business processes in a verifiable manner by 2020. If fewer than 50 % of the enterprises defined above have incorporated the elements of human rights due diligence described in the NAP into their corporate processes by 2020 and the target is thus missed, the German government will consider further action, which may culminate in legislative measures.