



TÉLÉCOPIE • FACSIMILE TRANSMISSION

DATE: 8 February 2021

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A handwritten signature in blue ink that reads "Beatriz Balbin".

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OBJET/SUBJECT: **Recommendations from the Working Group on the issue of human rights and transnational corporations and other business enterprises - Public consultation on the European Commission's sustainable corporate governance initiative**

Please find attached a letter from Mr. Dante Pesce, Chairperson of the Working Group on the issue of human rights and transnational corporations and other business enterprises, addressed to Mr. Didier Reynders, European Commissioner for Justice.

I would be grateful if this letter could be transmitted at your earliest convenience to Mr. Didier Reynders.

Mandate of the Working Group on the issue of human rights and transnational corporations and other business enterprises

REFERENCE: SPB/SHD/NF/GF/JG/ff

8 February 2021

Dear Commissioner Reynders,

The [United Nations Working Group on the issue of human rights and transnational corporations and other business enterprises](#) (“Working Group”) welcomes the opportunity to submit feedback as part of the [public consultation on the European Commission’s sustainable corporate governance initiative](#), covering corporate human rights and environmental due diligence.

As part of this process, we are re-submitting the attached recommendations from the Working Group regarding the initiative’s alignment with the [UN Guiding Principles on Business and Human Rights](#). These recommendations were originally sent to your office on 22 October 2020 and continue to express our key inputs regarding both the content of the proposed legislation and the process of developing that content.

In addition, the Working Group welcomes the [European Parliament’s recent adoption of the draft legislative initiative](#) by the Committee on Legal Affairs, calling on the Commission to urgently present a sustainable corporate governance law. We are pleased to see many of the Working Group’s below recommendations echoed in this call. We also add here our support for the Committee’s further recommendations regarding a ban on importing products linked to severe human rights violations such as forced or child labor and inclusion of such a ban in trade and sustainable development chapters of EU trade agreements.

We continue to support the European Union’s efforts to institute mandatory measures that drive the State duty to protect human rights, the business responsibility to respect human rights, and access to effective remedy for victims of business-related human rights harms – the three pillars of the Guiding Principles. As highlighted in our attached recommendations, we would like to reiterate the importance that the new law in particular considers issues of vulnerable groups, including human rights risks in relation to gender, Indigenous Peoples, human rights defenders, religious and ethnic minorities, racial discrimination, and LGBTI+ issues.

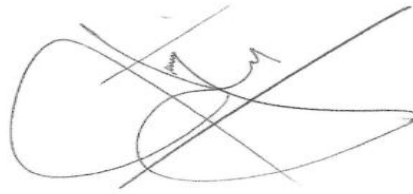
In conclusion, the Working Group would be delighted to engage further with you and your colleagues in the near future relating to our shared interest in promoting good

Mr. Didier Reynders
European Commissioner for Justice
European Commission
Brussels

corporate governance and ensuring that it can work for the better advancement of human rights. We also consider that the findings of your consultation process would provide valuable insights for the Working Group's [own project to establish a roadmap for the next ten years of implementation of the Guiding Principles](#), recalling that 2021 marks their 10th anniversary

We remain committed to providing guidance on the application of the Guiding Principles to the new legislation and look forward to continued engagement with your office and all other EU bodies working on this important effort.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Dante Pesce', with a large, sweeping flourish at the end.

Dante Pesce
Chairperson

Working Group on the issue of human rights and transnational corporations and other
business enterprises