Statement by the Netherlands - CHECK AGAINST DELIVERY

Panel II / Subtheme 1: State duty to protect / examples of national legislation and international instruments

* Thank you Madam Chair, and thanks also to the panelists for their observations.
* Since this is the first time I take the floor, let me also congratulate you with your election as Chairperson-Rapporteur.
* Madam Chair, let me first of all say that the Netherlands fully aligns itself with the general statement delivered yesterday by the European Union. We add the following in our national capacity.
* The Netherlands has both a long tradition of workers standing up for their rights and a long tradition of international trade. We have many large corporations that do business abroad. Both these traditions have come together in recent years. Dutch society and the Dutch parliament expect Dutch companies to uphold the same human rights standards abroad as those they are bound by within the Netherlands.
* For these reasons, we attach great importance to a proper implementation of the UN Guiding Principles. We were one of the first countries worldwide to adopt a National Action Plan in this regard, a commitment agreed by all EU Member States. Our National Action Plan is available online, and I would encourage all colleagues to have a look at it. There is a lot to say about our Plan, but I will just highlight a few key points, to demonstrate how we are promoting corporate respect for human rights.
* Firstly: Public procurement:

The Dutch government is aware that it should lead by example, and perform its own human rights due diligence. That is why we are reviewing our government procurement policy. Under the new policy, the government should only do business with companies that subscribe to and implement the OECD Guidelines for Multinational Enterprises. The OECD Guidelines chapter on human rights is, as you know, based on the UN Guiding Principles.

* Secondly: funding: From our Human Rights Fund, we are supporting a multitude of projects on business and human rights, such as, for example, the Corporate Human Rights Benchmark, which will rank the world’s 500 largest companies on human rights policies and performance, or a project to train human rights defenders on gaining access to remedy for business-related human rights abuses.
* Thirdly: Responsible Business Conduct agreements:
* Working on sectoral multi-stakeholder agreements for responsible business conduct is one of the cornerstones of our policy.
* The Netherlands government commissioned a study to identify business sectors in which supply chains pose heightened risks in terms of respect for human rights and labour rights as well as environmental protection. The study identified 13 priority sectors. This list includes a variety of sectors including the textile/garment industry, construction, metals, oil and gas, agriculture and the food industry. A broad range of risks were taken into account in the analysis, including issues such as child labour, excessive working hours, health hazards and land grabbing.
* We are currently in dialogue with these business sectors and their stakeholders in order to conclude agreements on concrete steps to reduce risks in their supply chains. The agreements are based on the UN Guiding Principles and the OECD Guidelines, and therefore include steps on facilitating access to remedy.
* Agreements on international responsible business conduct offer the opportunity for companies, the government, and NGOs to work together in addressing human rights impacts. Their aim is twofold: First, to achieve substantial improvement of specific risks for groups facing adverse impacts. Second, to offer shared solutions to address problems that companies cannot solve entirely by themselves.
* On 28 October the Dutch banking sector will conclude a responsible business conduct agreement - with a focus on human rights and banking - with unions, NGOs and the government.
* Madam Chair, besides the measures I have already mentioned, we have considered whether new legislation is necessary in the Netherlands in order to hold companies to account for human rights abuses they have committed abroad. This is a matter of ongoing discussion. If the sectoral agreements we are working on do not produce the desired results, our Minister has said she will initiate legislation.
* Under Panel V, I will briefly go into what we have done domestically to strengthen access to remedy, including through new legislation.

Thank you Madam Chair.