

## Ensuring respect for human rights in the context of “economic diplomacy” and investment/trade promotion

**Country:** Slovak Republic

**Institution:** The Export – Import Bank of the Slovak Republic (EXIMBANKA SR)

### Economic diplomacy and trade/investment promotion

**1. Are there examples of ministries oriented to cross border trade and investment promotion that have any policy commitment to address human rights as part of their activities? If yes, does such a commitment include any reference of the UN Guiding Principles on Business and Human Rights and other standards for responsible business conduct (e.g. OECD Guidelines; IFC Performance Standards)?**

In the Slovak Republic, cross – border trade and trade promotion is under shared responsibility of the Ministry of Foreign and European Affairs of the Slovak Republic and Ministry of Economy of the Slovak Republic and their respective agencies. Respective ministries are fully recognizing general commitment to address human rights as well as recognizing UN Guiding Principles on Business and Human Rights in various fields of their activities. However, in respect of cross – border trade and trade promotion, at this stage such internationally recognized rather general standards without explicit reference.

**2. Are there examples of trade/business oriented ministries and agencies that have required businesses to demonstrate respect for human rights as set out in the UN Guiding Principles on Business and Human Rights as a condition of receiving government support through export credit, investment guarantees, and political risk insurance? If yes, how was this implemented?**

EXIMBANKA SR, official Export – Credit Agency of the Slovak Republic and only direct instrument of state for official export credit support, provides support for transactions in compliance with respective international regulations of WTO, OECD and EU, such as *OECD Arrangement on Officially Supported Export Credits*. In respect of human rights, we have implemented provisions of the *Recommendation of the Council on Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence*, in our internal guidelines. *Common Approaches* are recognising existing obligations under the *UN Guiding Principles on Business and Human Rights*, therefor EXIMBANKA SR has obligation to screen and review transactions in pipeline also from this perspective.

**3. Have such ministries or agencies involved with export/investment promotion, required businesses to demonstrate commitments to human rights as set out in the UN Guiding Principles as a condition for participating in trade missions, receiving export promotion assistance, and being eligible for trade advocacy services? If yes, how was this implemented?**

EXIMBANKA SR performs screening of potentially supported transactions even from point of view of its environmental and social (human rights) impacts in destination location. Exporter applying for support is obliged to fill in the questionnaire describing impacts of the project in destination location. To receive support of EXIMBANKA SR, responsible commitments of exporter to human rights in context of the respective project are required.

**4. Are there examples of human rights training programmes for trade officers who assist companies with export promotion and other forms of trade and investment support?**

Employees of business departments are on operative basis informed about new developments in respect of international human rights framework and are ready to provide basic guidance for clients in this respect.

Employees responsible for evaluation of the projects from environmental and social perspective are regularly attending meetings and technical expert workshops of environmental and social Practitioners (sub-group under *OECD Working Party on Export Credits and Credit Guarantees - ECG*), discussing and exchanging experience even in respect of human rights from expert point of view. Information gathered is then consequently internally shared in comprehensive form with respective employees of the EXIMBANKA SR and may be used in daily business practice when dealing with exporters.

**5. If a company/business is the subject of a complaint by victims and/or civil society organizations, relating to adverse human rights impacts, are there examples of this having consequences for trade and investment-related support to the same company?**

In 20-years history of supporting Slovak exporters, EXIMBANKA SR has not experienced such a complaint so far, which demonstrates our human rights - responsible attitude towards every project under the consideration.

To address potential complaints from public, EXIMBANKA SR has introduced dedicated “whistleblowing instrument” available 24 hours a day, allowing the notifier to submit written or electronic input at any time. Complaints of human rights violation in context of export support can be dealt and resolved at National Contact Point for the OECD Guidelines for Multinational Enterprises as well (EXIMBANKA SR is a member of NCP).

**6. In what ways may decisions by State-run grievance mechanisms (e.g. national contact points) have consequences for whether a business receives trade and investment support? Are there examples of such connections being made?**

As previously mention in Q5, in the Slovak Republic, we have not experienced complaints on adverse human rights impact of projects of Slovak companies abroad so far. From process point of view, EXIMBANKA SR, as member of National Contact Point for the OECD Guidelines for Multinational Enterprises, is *per se* obliged to consider decisions of such state-run grievance mechanisms, however concrete steps and measures would be adopted on case by case basis.

**Export Processing Zones and Investment Promotion**

**7. Are there examples of laws, regulations, policies and procedures in place for special economic zones/export processing zones that also include provisions for ensuring that businesses operating in those zones respect the human rights of workers and other people/communities who may be impacted by their activities?**

The Slovak Republic does not operate any special economic zones/export processing zones within its territory. All businesses operating in the Slovak Republic are obliged to respect legal framework of the Slovak Republic, where respect to the human rights and equal treatment for all human beings is granted. Specific provisions in context of human rights and employment are vested in Labor Code of the Slovak Republic.

Based on our internal research, experience and information from international databases, EXIMBANKA SR has set up a list of red flag territories, where risk of human rights abuse is

considerably or significantly high. Potential support for projects in such countries is therefore subject of enhanced internal *due diligence* processes.