

No. 1274-1/2019

The Permanent Mission of the Czech Republic to the United Nations Office and other International Organizations at Geneva presents its compliments to the Office of the High Commissioner for Human Rights and is pleased to submit, in the attachment to this Note Verbale, its responses to the Questionnaire of the Working Group on Business and Human Rights regarding policy coherence in government action to protect against business-related human rights abuse.

The Permanent Mission of the Czech Republic to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 13 June 2019

Office of the United Nations High Commissioner for Human Rights  
Special Procedures Branch  
Mandate of the Working Group on the issue of human rights and transnational corporations and other business enterprises

Geneva

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## UN Working Group on Business and Human Rights – report on policy coherence in government action to protect against business-related human rights abuse

1. *Has your Government made an explicit political commitment to ensure policy coherence across government departments in line with the Guiding Principles? If yes, please provide information.*

The National Action Plan for Business and Human Rights for the years 2017 – 2022 (approved in October 2017) was adopted with the aim to implement the UN Guiding Principles and to ensure policy coherence. The NAP envisages checks on its implementation and assessment of the performance of tasks. The preparation of the Action Plan was an opportunity to take stock of past processes and measures carried out in business and human rights independently of the Action Plan. However, there is no explicit political commitment in the Government Policy Statement or in any other strategic document.

2. *Has your Government operationalized the political commitment into a policy and institutional framework to promote business respect for human rights? If so, please indicate:*
  - a) *Areas identified requiring specific attention to strengthen coordination;*
  - b) *Specific mechanisms/structures to facilitate coordination and align actions of different ministries and policy areas to promote responsible business conduct?*

The National Action Plan for Business and Human Rights for the years 2017-2022 (NAP) vests the coordinating role with the Office of the Government, Section for Human Rights and the Secretariat of the Government Council for Human Rights. The NAP also envisages an informal discussion platform comprising representatives of state administration, business, non-profit sector and trade unions. Performance of tasks under the NAP envisages cooperation with business associations, trade unions and NGOs active in corporate social responsibility, and a dialogue with them on the further development of topics related to business and human rights.

The specific areas on which the Plan focuses were selected on the basis of the Guiding Principles themselves and discussions held within the Business and Human Rights working group established to draft the NAP (themes perceived to be important in the Czech public debate and thought to be crucial worldwide). Specific attention is paid to p. e. protection of social service clients, working conditions, trade in military equipment, supply chains and conflict minerals, public procurement, state aid, state enterprises, external policy, legal aid, access to evidence, collective redress, alternative and online dispute resolution.

The NAP enumerates strategic documents that also cover human rights in a business context, including the National Action Plan for Corporate Social Responsibility in the Czech Republic<sup>1</sup>. The NAP requests the Ministry of Trade and Industry to post documents and materials of business associations, trade unions and NGOs active in CSR on the National CSR Information Portal for those businesses that take the voluntary decision to subscribe to human rights commitments.

3. *Does the NAP address the need for State-owned enterprises, trade and investment promotion entities, and public procurement agencies to integrate respect for human rights specifically and promote responsible business conduct generally in relevant policies and operations? If yes, please provide information.*

The NAP contains specific chapters on Public procurement, State-owned enterprises and State aid, guarantees and subsidies. It requests incorporation of human rights issues into the guidance on a responsible approach to public procurement and purchasing and of information on the social and human rights context of public contracts into training courses for contracting authorities. It further recommends that state enterprises and companies in which the state has a shareholding insert clauses in new contracts that allow for the contractual relationship to be terminated if the counterparty of supply chain is found to seriously

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<sup>1</sup> <https://www.mpo.cz/en/business/corporate-social-responsibility/>

violate human rights or universally recognised ethical and moral standards. The NAP further recommends accession to the UN Global Compact.

- 4. Where a coordination mechanism/structure exists, please describe the composition, roles and assigned responsibilities of the entities involved. What are some main experiences and lessons learned from this mechanism, including specific examples of how it has helped improve policy coherence to strengthen government action to promote responsible business conduct in line with the Guiding Principles?*

The envisaged informal discussion platform comprising representatives of state administration, business, the non-profit sector and trade unions has not been established yet. The topic of business and human rights can be discussed during the meetings of the Government Council for Human Rights, the standing advisory body to the Government.

- 5. Does the coordination mechanism/structure allow for the participation of representatives of other stakeholders, including business and civil society organizations? If so, please explain the modalities of such participation.*

Representatives of business and civil society organizations were involved in the drafting process of the NAP; further cooperation with them is envisaged.

- 6. What is the role of the coordination mechanism/structure in monitoring the implementation and effectiveness of the policy framework to promote responsible business conduct and to ensure policy coherence across monitoring and evaluation efforts?*

Monitoring of the implementation of the NAP includes regular reporting – an interim report and a final report are to be drafted in 2020 and 2022. The Section for Human Rights of the Office of the Government is responsible for the reporting.

- 7. Does the Parliament play any role in overseeing the implementation of the policy framework/action plan to promote RBC? If yes, please explain how.*

The Parliament has not been involved.

- 8. Does your Government build the capacity of staff working in governmental departments and agencies in charge of business and human rights-related issues? If yes, please clarify any relevant aspects, including training curricula, how often and by whom they are conducted.*

No specific capacity-building training for governmental departments' staff is planned. Civil servants pass a general public service exam and a specific exam relating to the field of their expertise.

- 9. Please indicate if any coordination mechanisms exist to promote implementation of the 2030 Sustainable Development Agenda. If so, is there any linkages made to encourage policy coherence in promoting responsible business conduct in line with the Guiding Principles as part of the efforts to engage the corporate sector to contribute towards the SDGs?*

Yes, a coordination mechanism has been set up to promote implementation of the SDGs. Coordinating role is with the Ministry of Environment. A specific Implementation Plan was elaborated to implement The Strategic Framework of the Czech Republic 2030 and Agenda 2030<sup>2</sup>. Within the implementation of SDG 8, the developments in the area of business and human rights are monitored.

ENDs

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<sup>2</sup> [https://www.vlada.cz/assets/ppov/udrzitelny-rozvoj/projekt-OPZ/Strategic\\_Framework\\_CZ2030.pdf](https://www.vlada.cz/assets/ppov/udrzitelny-rozvoj/projekt-OPZ/Strategic_Framework_CZ2030.pdf)