



June 2019

Inputs by the Finnish government to the UN Working Group on Business and Human Rights' report for the UN GA74 report in October 2019

Policy coherence in government action to protect against business-related human rights abuse

Political commitment and operationalisation to ensure policy coherence

The Finnish government made a political commitment to policy coherence by including all Ministries in the drafting of the National Action Plan. This inclusiveness was aiming at ensuring appropriate policy coherence, as the drafting and the implementation of the plan was a joint effort. The Committee on Corporate Social Responsibility¹, representing key Finnish stakeholders such as employer and employee organisations, business organisations, Ministries, and civil society organisations, monitors the implementation of the action plan and gets regular updates on how the UN Guiding Principles on Business and Human Rights (UNGP) are implemented. The minutes of the Committee's meeting are available online in Finnish².

The idea was to keep the implementation of the NAP as lean as possible, especially given that no need for a new specific mechanism such as a working group was recognised. Several Ministries have had joint initiatives around the UNGP implementation and there is an established, although informal working group between various Ministries which ensures timely and regular exchange of information and collaboration. Coordination between key ministries (in particular Ministry of Economic Affairs and Employment, Ministry for Foreign Affairs, Ministry of Justice) and key departments and units within these ministries has been strengthened since 2016, with several initiatives implemented jointly by ministries.

In terms of the role of the Parliament, the supreme decision-making authority in Finland is exercised by Parliament including in matters of business and human rights. Parliament enacts all legislation in Finland and influences European Union matters.

Integrating respect for human rights across trade related policies and instruments

The Finnish UNGP NAP makes several references to state owned enterprises (SOE) and trade promotion. On SOEs the NAP states that human rights will be emphasised in its ownership policy. In the Government Resolution on State-ownership policy (13 May 2016)³ the government states that "the companies must take human rights into account in a responsible and transparent way in both their own activities and in their subcontracting chains in accordance with the UN Guiding Principles on Business and Human Rights." In

¹ See: <https://tem.fi/en/committee-on-corporate-social-responsibility>

² See: <https://tem.fi/hankesivu?tunnus=TEM063:00/2017>

³ See: <https://bit.ly/2F2rpwO>

the same document the government also states that “interest groups must have a reliable way to bring any possible violations of human rights to the company management’s attention. As part of the identification of issues essential to the company, the companies must identify the corporate social responsibility risks both in their own activities and in their value chain and incorporate these risks into their risk management system.”

On trade promotion and in the “economic diplomacy” context the Finnish NAP outlines that the government through its Team Finland network will provide training on business and human rights. Further, it states that human rights are taken into consideration in export promotion, and that human rights will be included in the service selection of the Finnish Foreign Service. In its implementation of the NAP, the Finnish government has identified, the need to go beyond the initial scope of the NAP and to employ additional outside expertise to strengthen systematically the awareness of the UNGPs and their implementation for instance in trade/export promotion and through instruments supported through ODA-funding. This expectation also stems from the Human Rights Based Approach (HRBA) Guidance note by the Foreign Ministry (2015)⁴

This initiative was carried out through public procurement requesting capacity building for actors and instruments overseen by various ministries (e.g. Finnvera, Finnfund, Finnpartnership, BEAM/Business Finland, Public Investment facility PIF).⁵ The implementation of this work has been covering all actors, apart from the instruments also ministries, civil society and private sector, as well as consultants working with government, trade or development promotion instruments or businesses directly. This has improved coherence in government action in relation to UNGP-implementation.

The Prime Minister’s Office and various ministries working on Agenda 2030 implementation are closely coordinating their actions to ensure policy coherence in relation to private sector engagement. Studies issued recently by the Prime Minister’s Office is looking into this issue, among others. There has been increased efforts also under the development policy sphere to ensure monitoring and indicators that embeds both Agenda 2030 and UNGPs, this work is ongoing.

There are increased efforts to ensure that various entities in the Finnish government can fund activities that strengthen business respect for human rights and prevent business-related harm to people nationally, globally and regionally. To date, this has materialized through channelling funding through open calls to organisations that support human rights defenders work in relation to business related human rights abuse as well as funding of work that attempts to develop indicators relating to business respect for human rights.

The government has also seen an interest in increased benchmarking activities and collaboration with other countries for the purpose of identifying best practices in terms of NAP implementation.⁶

⁴ See Chapter on Private Sector Cooperation:

https://um.fi/documents/35732/48132/human_rights_based_approach_in_finlands_development_cooperation_guidance

⁵ For more information, see :

https://um.fi/documents/35732/48132/finland_supports_sustainable_business_activities_in_developing_countries/a425e4dc-01e9-8a85-1190-11c67b6f64ec?t=1525690859582

⁶ As an example, a NAP peer-learning event by Belgium co-organized by Finland and the EEAS/COM on 23.5.2019.

Responsible public procurement

The Finnish NAP refers to public procurement. For example, after the NAP process, the Finnish guide to socially responsible public procurement was updated, with several references to business and human rights⁷. The Finnish government closely monitors the issue of responsible public procurement.

Stakeholder engagement

The Committee on Corporate Social Responsibility⁸, in itself is a multi-stakeholder body representing key Finnish stakeholders such as employer and employee organisations, business organisations, Ministries, and civil society organisations, monitors the implementation of the UNGPs in Finland more broadly. The input of various stakeholders is highly valued. Finland has aimed to ensure that all stakeholders can participate actively in the work carried out in relation to the NAP-implementation. This body has also ensured all relevant parties are heard in terms of monitoring of the implementation as well as planning activities in relation to the NAP.

For 2020-2021 there has been funds reserved to ensure roundtable discussions between various stakeholders, as the tradition of stakeholder engagement has been and continues to be strong and valued. The roundtable discussions have proven particularly useful in terms of increasing constructive dialogue.

Capacity building

The Finnish government has identified a significant need for and consequently offered training on business and human rights to numerous companies and there are also plans for future trainings. The government offers country specific information on both responsible business related issues and business and human rights online in national languages⁹.

The Finnish government has in recent years invested in capacity building across various actors on responsible business conduct, including for ministries. Training has been carried out at the lead of external experts and covering government, instruments, business, civil society and consultants. There are also plans in coming years to introduce training to embassy and other staff on the UNGPs.

As part of capacity building efforts relating to UNGPs there has been increased attempts to ensure that the interlinkages between the UNGPs and Agenda 2030 are highlighted as part of training efforts, to ensure that all actors working on Agenda 2030 also embeds the UNGPs into their policies, instruments as well as reporting frameworks.

⁷ See: <http://urn.fi/URN:ISBN:978-952-327-285-9>

⁸ See: <https://tem.fi/en/committee-on-corporate-social-responsibility>

⁹ See <https://www.marketopportunities.fi/home/> for country outlooks and <https://finnpartnership.fi/fi/sources/yhteiskuntavastuutietoa-maittain/> also for country specific information.