

PUBLIC PROCUREMENT AND HUMAN RIGHTS

Integrating human rights into public procurement processes

A Side Event Proposal for the 2013 UN Forum on Business and Human Rights



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION



Theme and Link to the Forum Mandate

The UN Framework and Guiding Principles on Business and Human Rights (UNGPs) provide a globally applicable set of guidance for governments, businesses and other actors towards ensuring effective respect for human rights in the context of business activities. Under Pillar I of the UN Framework, states have a duty to take all necessary steps to prevent business-related human rights abuses. This includes ensuring an adequate regulatory framework for business activities; ensuring human rights are given effect to in all areas of law and policy-making, domestically and internationally; and providing guidance and information to business on how to respect human rights. Within Pillar I, under the heading, “the state-business nexus”, the UNGPs specifically address the state’s role and impacts when government and public authorities engage in commercial transactions.

This Side Event will focus on public procurement as one key aspect of the state-business nexus. The purchase of goods and services by public bodies accounts for hundreds of billions of dollars each year and expenditure on public procurement within OECD countries amounts to an average of 12% of GDP. The state thus has significant influence on the rules of the game in markets, and can incentivise business to implement and excel in responsible supply chain management, for example, by awarding contracts to suppliers of goods and services who can document safe, legal and fair working conditions in line with human rights and ILO standards. Conversely, if they focus on procuring at lowest cost, state bodies can sustain systematic human rights abuses.

The Side Event will address human rights dimensions, risks and opportunities of public procurement as well as relevant international, regional and national legal frameworks, and case studies and experiences of integrating human rights into public procurement practices, in areas including supply chain management and privatized delivery of public services.

The Side Event will build on recent reports on public procurement and human rights undertaken by the Northern Ireland Human Rights Commission, Danish Institute for Human Rights and ICAR, as well as the work of the Norwegian Agency for Public Management and eGovernment (Difi), and other stakeholders.

Objectives

1. Consider how UNGPs, other international, regional and national legal frameworks apply to public procurement
2. Present national case studies on public procurement and human rights
3. Discuss possible approaches and tools for integrating human rights into public procurement law, policy and management

Proposed speakers

1. Northern Ireland Human Rights Commission
2. Danish Institute for Human Rights
3. DIFI (Norwegian Agency for Public Management and eGovernment)
4. International Corporate Accountability Roundtable (ICAR)
5. Other public procurement agencies/ Electronics Watch

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