Organisation of Multinational Enterprises

1. Due diligence / liability
   - France: bill on duty of vigilance
   - Switzerland: public initiative
   - Anti-corruption legislation (OECD convention)

2. Access to evidence
   - Disclosure
   - Burden of proof
In response to the **UN Guiding Principles on business and human rights**

a globally-recognised framework which outlines the roles of states and businesses in protecting human rights in business situations

States are invited to adopt **action plan on business and human rights**

**UK** launched its action plan, **September 2013** becoming the **first country** to set out guidance to companies on integrating human rights into their operations.

6 others EU Member States (NL/IT/DK//FI/LT/SE) have completed National Action Plans on Business and Human Rights, with **another 20 EU Member States** having completed or working towards completing National Action Plans on Corporate Social Responsibility.

**Spain (SP)** launched in the summer of 2014 (*subject to approval by the Spanish Council of Ministers*)
Having developed a National Action Plan

- **UK** - launched September 2013
- **The Netherlands** - launched December 2013
- **Italy** - launched March 2014
- **Denmark** - launched April 2014
- **Spain** - launched in the summer of 2014 (*subject to approval by the Spanish Council of Ministers)
- **Finland** - launched October 2014
- **Lithuania** - launched February 2015
- **Sweden** - launched August 2015
- **Norway** - launched October 2015
- **Colombia** - launched December 2015
Process of developing a national action plan or have committed to doing one:

• Argentina
• Azerbaijan
• Belgium
• Chile
• Czech Republic
• Germany
• Guatemala
• Greece
• Ireland
• Jordan

• Malaysia
• Mauritius
• Mexico
• Mozambique
• Myanmar
• Portugal
• Slovenia
French Duty of Care law: despite business pressure, important step made towards final adoption

23 March 2016, the French National Assembly adopted in second reading the legislative proposal on parent company duty of care (devoir de vigilance).

- obligation to develop vigilance plans – plans to ensure due diligence throughout companies’ operations – the law would make certain that large French companies are responsible for their impacts, in France and in their value chain

- legislative proposal originates in the urgent need to prevent environmental damage and human rights violations caused by corporate activities worldwide

- Groups of more than 5,000 staff in France and 10,000 staff worldwide are under the future law, it represents about 150 to 200 companies and more than 100 countries