

Workshop / Atelier

IMPLEMENTING HUMAN RIGHTS AND ENVIRONMENTAL DUE DILIGENCE

MISE EN OEUVRE DU DEVOIR DE VIGILANCE EN MATIÈRE DE DROITS DE L'HOMME ET DE PROTECTION DE L'ENVIRONNEMENT

6 December 2022

OPENING OF THE WORKSHOP / OUVERTURE DE L'ATELIER



Christos GIAKOUMOPOULOS

Director General, Directorate General Human Rights and Rule of Law, DGI, Council of Europe / Direction Générale Droits de l'homme et État de droit, DGI, Conseil de l'Europe

Christos Giakoumopoulos has been Director General of Human Rights and Rule of Law of the Council of Europe since 1 August 2017. He was previously Director of Human Rights from 2011 to 2017 and also the Secretary General's Advisor for Ukraine from June 2014 to September 2016. He was Director of Monitoring in the same Directorate General between 2006 and 2011. Before joining the Directorate of Human Rights, he was General Counsel and Director General for Legal and Administrative Affairs of the Council of Europe Development Bank (Paris). Since joining the Council of Europe in 1987, he held posts in the Registry of the European Court of Human Rights and the Directorate of Legal Affairs. He was Deputy Executive Secretary of the Venice Commission (1994-2002) and Director of the Office of the first Commissioner for Human Rights, Alvaro Gil Robles (2002-2004).



Kristīne LĪCIS

Representative of Latvia before the European Court of Human Rights

Kristīne Līcis is Director General of the Legal Directorate of the Ministry of Foreign Affairs of Latvia and the Government Agent before the European Court of Human Rights. At the end of 2020, she was elected Chairperson of the CDDH and appointed to chair the CDDH-ENV.

SESSION 1

STATES' POSITIVE OBLIGATIONS – THE BUSINESS DIMENSION OBLIGATIONS POSITIVES DES ÉTATS – LA DIMENSION COMMERCIALE



Babette KOOPMAN

Government Agent before the European Court of Human Rights, Netherlands

Member of the Steering Committee for Human Rights, Government Agent for the Kingdom of the Netherlands before the European Court of Human Rights and the European Committee of Social Rights.



Karin LUKAS

Karin Lukas is President of the European Committee of Social Rights, Council of Europe, and Head of Programme Lines at the Boltzmann Institute of Fundamental and Human Rights in Vienna. She is also Visiting Professor at the Central European University.

She has been a consultant for various national and international organisations, such as the UN Development Programme, the Austrian Ministry for Foreign Affairs and various businesses. Since two decades, she works and publishes extensively in the areas of human rights and business, development cooperation, women's rights and economic, social and cultural rights.

Karin Lukas currently works on the issue of labour rights in global production networks, human rights due diligence, international as well as company-based grievance mechanisms and economic, social and cultural rights in Europe. Her latest publication is a legal commentary on the European Social Charta.



Inna SMIRNOVA

Inna Smirnova is a lawyer at the Registry of the ECHR (Jurisconsult's Department, Research Division). She specialises, among others, on issues related to trade unions, whistle-blowers, protection from discrimination. Her previous professional experience includes international commercial arbitration.

She currently works on the transversal guide on Business and Human Rights.

Matteo FIORI

Council of Europe

Matteo Fiori works since 2011 at the Council of Europe, in Strasbourg. Between 2011 and 2014 he was assistant lawyer at the Registry of the European Court of Human Rights and since 2014 he is a lawyer at the Department for the Execution of Judgments of the European Court of Human Rights.

He graduated in law from the University of Rome "La Sapienza" (2001) where he also specialised in European Union law and economics (2003). He later obtained his LL.M. in public international law (2005) and his doctoral degree (2015) both at the University of Groningen, in the Netherlands.

He passed the bar exam in 2004 and practiced as a lawyer in Rome for several years (2006-2011). He is the author of several publications on human rights and international criminal law.



Maria IEVDOKYMOVA

PHD Business Ethics and Corporate Sustainability
Expert on Business and Human Rights
Council of Europe HELP Tutor
Member of the Global Business and Human Rights Association

SESSION 2

TOWARDS A CORPORATE DUTY OF CARE REGARDING HUMAN RIGHTS AND THE ENVIRONMENT
VERS UN DEVOIR DE VIGILANCE DES ENTREPRISES EN MATIÈRE DE DROITS DE L'HOMME ET D'ENVIRONNEMENT



Chiara MACCHI

Marie Skłodowska-Curie Researcher at Wageningen University & Research

Dr Chiara MACCHI is a Marie Skłodowska-Curie Researcher at Wageningen University & Research – Law Group with a research project on Business and Human Rights in the policies of the European Union. She is an associate member of the Essex Business and Human Rights Project and a member of the European Law Institute's project Business and Human Rights: Access to Justice and Effective Remedies. She is co-chair of the Business and Human Rights working group of the Netherlands Network for Human Rights Research. She has authored publications on the right to water, climate due diligence, extraterritorial human rights obligations, human rights due diligence legislation, and the human rights responsibilities of investors. She is an assistant editor of Transnational Environmental Law. She was previously a post-doctoral researcher in International Law at the Sant'Anna School of Advanced Studies. She conducts consultancies for governments, NGOs, companies, trade unions and lawyers on business and human rights-related issues.







Gilles BON-MAURY

Permanent Secretary of the CSR Platform

Gilles Bon-Maury a rejoint France Stratégie en janvier 2015 pour y développer les relations la société civile. Ses travaux portent également sur les fractures qui traversent la société française et sur les discriminations. Depuis septembre 2016, il anime et coordonne le secrétariat permanent de la Plateforme RSE, Plateforme nationale d'actions globales pour la Responsabilité sociétale des entreprises, instance multi parties prenantes installée à France Stratégie en 2013.

De 2012 à 2014, il était conseiller au cabinet de la ministre des droits des femmes, où il était notamment en charge des dossiers de la lutte contre les violences faites aux femmes, de la lutte contre la traite des êtres humains, de la lutte contre les violences et les discriminations commises à raison de l'orientation sexuelle ou de l'identité de genre et de l'égalité professionnelle.

	<p>Joseph FITZMAURICE <i>Senior policy officer, United Kingdom Home Office</i></p> <p>Joseph is a senior policer officer in the U.K.'s Home Office working in the Modern Slavery Unit. He leads policy on section 54 of the Modern Slavery Act 2015 (Transparency in Supply Chains) and works to ensure businesses address modern slavery in their global supply chains. Previously Joseph worked on support for victims of modern slavery. He cares about delivering impactful policy that has the power to transform lives of some of the most vulnerable people in our society.</p>
	<p>Geraint DAVIES</p>
	<p>Elke WINTER-MES <i>Legal & Policy Office, European Commission</i></p> <p>Elke Winter-Mes is a legal and policy officer at the European Commission's Directorate-General for Justice.</p> <p>Previously, Elke worked as a lawyer at the European Ombudsman's office, at the European Court of Justice and a Senior Associate at an international corporate law firm.</p> <p>Elke studied law at the Universities of Munich, Paris (Pantheon-Assas) and Berlin, and at the College of Europe in Bruges.</p>
	<p>Giorgia MICCOLI <i>Project Manager on EU Affairs, CSR Europe</i></p> <p>Giorgia is a Project Manager on EU Affairs at CSR Europe, where she mainly works on business and human rights, sustainable finance and reporting. Before joining CSR Europe, she worked at the Centre for European Research at Queen Mary University of London and the Istituto Affari Internazionali (IAI) in Rome. Giorgia holds a Master's Degree in International Relations and Diplomatic Affairs from the University of Bologna.</p>
	<p>Christopher Patz <i>Policy Officer, Coalition for Corporate Justice</i></p> <p>Christopher Patz is a lawyer and Policy Officer at the secretariat of the European Coalition for Corporate Justice in Brussels (ECCJ), representing close to 500 NGOs across Europe. For the past 10 years ECCJ members have been advocating for national due diligence laws across Europe, as well as participating in their implementation and enforcement. Chris has experience bringing judicial and non-judicial complaints against European textile brands and factory auditors for their involvement in South Asian factory disasters, such as the 2013 Rana Plaza factory collapse and 2012 Ali Enterprise factory fire which killed thousands and hundreds of people respectively.</p>

SESSION 3

SUPPORTING BUSINESS TO DELIVER ON THEIR HUMAN RIGHTS RESPONSILITIES – COUNCIL OF EUROPE PROJECTS
SOUTENIR LES ENTREPRISES DANS LEURS RESPONSABILITÉS EN MATIÈRE DE DROITS DE L'HOMME – PROJETS DU CONSEIL DE L'EUROPE



Tigran KARAPETYAN

Head of Division, Transversal Challenges and Multilateral Projects

Tigran KARAPETYAN is *Head of the Division on Transversal Challenges and Multilateral Projects*. He works in the CoE since 2013. He is an experienced lawyer with considerable experience in leading projects in the field of Human Rights, Rule of Law, Good Governance and Democracy. Prior to joining the Council of Europe, Mr Karapetyan lead the democratisation and good governance programming for the OSCE in Ukraine and before that served as a legal and project management expert on electoral and democracy issues for various international organisations. He also has significant experience as an in-house lawyer and a legal consultant in the commercial sector.



Tevel DEKEL

Environmental Department Director, Grant Thornton Israel

Tevel joined the Good Vision team in Grant Thornton Israel in 2022 and works as part of the environmental team to assist top companies with their sustainability initiatives. Through interviews, data analysis and in-depth company research, he creates corporate responsibility and ESG reports that correspond with international standards such as GRI, SASB, and Integrated Report.

As part of the environmental team, Tevel specializes in examining and analyzing the primary environmental activities carried out by companies in relation to important environmental regulations and legislation. Through this process, he detects and maps gaps in company procedures and develops recommendations to improve company environmental performance. Tevel also works with businesses to measure and report Scope 1 and 2 greenhouse gas emissions to the Ministry of Environmental Protection or other equivalent agencies.

Tevel holds a B. A. in Philosophy, Economics and Political Science and has previously served in the Economic Division of the Israeli Ministry of Communication and as a data analyst, commander and intelligence course instructor in the 8200 Elite Intelligence and Cybersecurity Unit of the Israel Defense Forces.



Barbara LINDER

Senior E&S Manager in the Austrian Development Bank (OeEB)



Barbara Linder works as a Senior E&S Manager in the Austrian Development Bank (OeEB) where she focuses particularly on integrating human rights in the investment process and human rights capacity building. She is also co-chairing the European Development Bank (EDFI) Working Group on Human Rights. Prior to joining OeEB in 2020, Barbara worked for 13 years as a legal researcher and consultant at the Ludwig Boltzmann Institute of Human Rights (BIM) in Vienna. Her areas of expertise include state and corporate responsibilities in the business context, human rights accountability for development and export credit agency supported projects as well as access to justice.

An Austrian national, Barbara holds a law degree of the University of Vienna, a Master degree on Human Rights and Democratization (E.MA) of the European Inter-University Centre for Human Rights in Venice, Italy and a PhD in Human Rights Law of the University of Vienna.

	<p>Dr. Claire METHVEN O'BRIEN <i>Senior Researcher at the Danish Institute for Human Rights, Copenhagen</i></p> <p>Dr. Claire Methven O'Brien is Senior Researcher at the Danish Institute for Human Rights, Copenhagen Lecturer in Law at the University of Dundee; and a Global Practitioner at the University of Strathclyde Business School. Claire has twenty years' experience of advising governments, international businesses, international development agencies, financial institutions, and human rights organisations on business and human rights matters. Claire's publications include the Council of Europe's Business and human rights. A Handbook for Legal Practitioners, <i>Public procurement and human rights: Opportunities, Risks and Dilemmas for the State as Buyer</i> and Research Methods in Human Rights. A Handbook (forthcoming 2023).</p>
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SESSION 4

REVIEWING THE IMPLEMENTATION OF COUNCIL OF EUROPE DUE DILIGENCE STANDARDS EXAMEN DE LA MISE EN ŒUVRE DES NORMES PORTANT SUR LE DEVOIR DE VIGILANCE DU CONSEIL DE L'EUROPE

	<p>Nicola WENZEL <i>German Federal Ministry of Justice and Government - Agent before the ECtHR</i></p> <p>Nicola Wenzel is Head of the Human Rights Office at the German Federal Ministry of Justice and Government Agent before the ECtHR. She leads the Ministry's Business and Human Rights team and is the CDDH Rapporteur on Human Rights and Business. Her specialisation in international human rights law go back to her work as research fellow at the Max Planck Institute for International and Comparative Public Law in Heidelberg.</p>
	<p>Steven SMIT</p> <p>Steven Smit works as policy officer Responsible Business Conduct (RBC) for the Ministry of Foreign Affairs in the Netherlands. Since 2020, I contributed to shaping the RBC policy mix from giving information to imposing obligation. Among other things, I was responsible for stakeholder management and sector-wide cooperation. I graduated from the University of Antwerp in 2016 with a master's degree in International Relations and Diplomacy.</p>
	<p>Rachel WIDDIS <i>Director, EMEA, Article One Advisors</i> <i>Adjunct Assistant Professor, Law School, Trinity College Dublin</i> <i>Member Irish Coalition for Business and Human Rights</i></p> <p>Rachel leads Article One's Europe office in Dublin, and specialises in advising companies and institutions globally on the rapidly evolving landscape of business and human rights approaches, regulation and practice. She has been a member of the Irish Coalition for Business and Human Rights (ICBHR) since it commenced, is a contributor to the 'Make it Your Business' report, and continues to advocate with the ICBHR. Rachel's research interests include the evolution of obligations to conduct human rights and environmental due diligence and advancing access to remedy. The subject of her 2021 doctoral thesis is constructing accountability and transnational litigation in the field of business and human rights. Since 2016, Rachel teaches Business and Human Rights on the LL.M in the School of Law, Trinity College Dublin, and she is an independent Director on the Board of a State company.</p>



Eva ZABEY

Executive Director, Business for Nature

With a background in natural capital and environmental management, Eva is an experienced leader, facilitator, speaker, writer and media spokesperson who has led Business for Nature since 2019.

Business for Nature is a global coalition of **more than 75 influential organizations and forward-thinking companies** calling for governments to adopt policies to reverse nature loss in this decade. Besides global advocacy, the coalition also works to accelerate business action on nature and inform the implementation of the Post-2020 Global Biodiversity Framework by creating business-government dialogues in India, South Africa, Malaysia and Colombia. Prior to joining Business for Nature, Eva spent 15 years leading multiple projects at the World Business Council for Sustainable Development (WBCSD). This included work on natural, social and human capital measurement and valuation for business decision-making, towards integrated performance management, and ultimately reporting for investors. She led the development of the Natural Capital Protocol as well as the establishment of the Social and Human Capital Coalition, both of which now sit under the leadership of the Capitals Coalition.

Eva writes on [LinkedIn](#), is on Twitter, @EvaZabey1 and gave this [TEDx talk](#).



Elin WRZONCKI

Department Director for Human Rights and Business at the Danish Institute for Human Rights

Elin Wrzoncki joined the Institute in 2014 as a senior adviser on Business and Human rights. Elin has extensive experience with the intersection between business and human rights and in working directly with various actors including companies, NHRIs and civil society. She has been active in the Working Group of the European Network of NHRIs (ENNHRI) on Business and Human Rights. Before joining DIHR, she was the Head of the Globalization and Human Rights Desk at the International Federation for Human Rights (FIDH), where she was in particular supporting national human rights NGOs to document business impacts on human rights and advocating for corporate accountability. She holds a Master's Degree in Political Sciences from Sciences-Po in Paris (1999) and from Uppsala University in Sweden (2000).