

8<sup>th</sup> September 2023

**FAO: Second National Plan on Business and Human Rights consultation**

Business in the Community Ireland (BITCI) would like to contribute the following recommendations as part of the consultation process for the Second National Plan on Business and Human Rights. Our four key recommendations are summarised on page 2.

BITCI is a business membership organisation representing over 120 of Ireland largest corporates, including semi-states, international and Irish business. Our purpose is to inspire and enable businesses to bring about a sustainable, low carbon economy and a more inclusive society where everyone thrives. We act as trusted advisers in sustainability and ESG by providing access to best practice and supporting businesses with practical management and monitoring systems.

We currently support our member companies with Human Rights through three main service offerings:

1. [The Business Working Responsibly Mark](#) is Ireland's only Environmental, Economic, Social and Governance (EESG) standard. Third-party verified by the National Standards Authority of Ireland, it is the standard for sustainability that fosters a culture of continuous improvement, ongoing accountability, and leadership. To achieve The Mark, organisations go through a rigorous audit-based process that embeds a strategic management system which facilitates internal organisational collaboration and supports the integration of environmental and social imperatives into core business practices. The standard was competed relaunched in 2021 and now includes Human Rights as one of the indicators under the social pillar. Currently approx. a third of BICTI members are BWR Mark certified. We also assess companies through the lens of Human Rights under the Economic indicator of Product/Service Design and Lifecycle Management, which requires companies to demonstrate they have considered both Environmental and Social impact across their entire product or service lifecycle.
2. [How to Mitigate the Risk of Modern Slavery](#) - A Report and guidance tool for business in Ireland. This report was launched in 2021 with a purpose to;
  - ✓ Define human rights infringements and modern slavery in both a global and Irish context.
  - ✓ Outline the key legislative and other developments that business in Ireland needs to know.
  - ✓ Give guidance to companies on the practical actions they can take to mitigate the risk and occurrence of modern slavery.
  - ✓ Equip companies in Ireland with the tools to conduct human rights due diligence, spot the signs of modern slavery, know what to do and who to contact should any malpractice come to light.

The guide has been very well received by our member companies since its launch, and we have seen an increasing number of requests from our member companies looking for guidance and training for their employees and suppliers. Many of our members fall into scope for the UK Modern Slavery Act 2015 through their operations in the UK but have found there is a gap for guidance and support here to ensure compliance with the Act.

3. **Employment Programmes** namely our EPIC programme that works with people from migrant or refugee backgrounds. The programme features pre-employment training, one to one guidance and opportunities for work experience. One of the most pressing societal issues in Ireland is the continued unemployment rates for marginalised people which can make these people vulnerable to modern day slavery or unfavourable working conditions. Our Employment programmes offers authentic diversity and inclusion solutions providing practical supports to clients and opening an untapped talent pool for business.

Based on BITCI's diverse range of service offerings we are uniquely positioned to contribute to this consultation under the needs of business in Ireland and on vulnerable migrants. Through our insights and learnings particularly since 2021 we recommend the following to be considered as part of the Second National Plan on Business and Human Rights consultation.

**Recommendations:**

1. **Take a stronger stance on Modern Slavery and consider adopting a Modern Slavery Act for Ireland.** As outlined in the [3<sup>rd</sup> report](#) on Ireland by The Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) in late 2022, *There have been no convictions for trafficking for the purpose of labour exploitation in Ireland, despite the increasing number of identified suspected cases.* We recommend that the learnings from this report are addressed, and a roadmap developed to reduce and mitigate Modern Slavery in Ireland. Our experience shows there is a growing demand from business for training on Modern Slavery, and in many cases a willingness to contribute to wider awareness-raising, effective controls and remediation.
2. **Include Human Rights due diligence as part of all procurement guidelines**, for example the EPA Green Public Procurement currently makes no reference to mitigating and managing human rights impacts. Follow the example of the Northern Ireland Human Rights Commission who worked with the local Government to include [Human Rights in Public Procurement](#).
3. **Develop a stakeholder engagement plan and mapping of all stakeholders to ensure there is greater alignment across government departments, business, and civil society.** We suggest government actions to promote human rights in business to be consolidated under a one-stop-shop rather than actions undertaken by different Government Departments – DETE, DFA, Justice, DECC, etc. Thus, addressing the need for greater accountability for breaches of Human Rights abuses in Ireland.
4. The Corporate Sustainability Reporting Directive (CSRD) and the Corporate Sustainability Due Diligence Directive (CSDDD) will place new compliance requirements on many larger businesses to understand, disclose and act on human rights risks and impacts in their value chains. Government has an opportunity to capitalise on this compliance requirement by **developing practical guidance for in-scope businesses to use with their value chain**, thereby extending awareness, knowledge and co-operation on human rights to SMEs as well as large companies.

