



Workshop on Human Rights and the Role of Legal & Compliance

As part of the quarterly network meeting for The Swedish Network for Business and Human Rights, Enact will host a workshop about the Role of Legal & Compliance.

On the 16th of May, we will host a cutting edge and unique workshop on how the compliance landscape for corporate in-house lawyers is changing. We will bring leading and global expertise to the table and present current legal challenges facing companies with global supply chains, discuss stakeholder expectations and emerging regulatory trends. You will learn how other companies are organising their work and structuring compliance programs to address international human rights standards. Through an interactive workshop conducted under Chatham House Rules we will look at solving practical dilemmas.

Legal risk for companies unaware of or not addressing their human rights exposures is higher than ever. The standard of expected conduct for companies requiring human rights due diligence have drastically changed the expectation of in-house legal counsel and compliance programs. No longer is it enough to consider domestic legislation to comply with human rights; in fact there is an increasing body of law demonstrating that human rights responsibilities are becoming binding on companies. Codes of conduct shape industry practice, clauses in contracts shape binding law between large multinationals. Reporting requirements on specific human rights issues from France, the Netherlands, UK, Sweden, USA all come with extraterritorial reach. Activists are increasingly suing companies in home states (“the West”) for complicity in human rights abuse in developing markets where State based judicial remedy systems have failed the victims. Watch dog NGOs argue the case for remediation and increased transparency. Human rights for companies are no longer only about labour rights – but also about economic, social and civil rights of customers and community members. Trafficking and forced labour does not only take place in developing countries, but may well happen right on your doorstep – with migrant workers at your cleaning supplier or in the canteen.



At least three particular legal dilemmas are facing many corporate in-house lawyers in a European context. First, understanding and managing situations of conflicting requirements – when domestic regulation stands in direct conflict with international human rights law, for example in the supply chain. Secondly, how to implement a human rights compliant grievance mechanism when faced with strict data protection laws in Europe, and thirdly how to meet stakeholder and regulatory demands for increased transparency whilst complying with commercial confidentiality regulation and needs.

In summary, to be ahead of the curve of compliance, legal advisors in companies need to have an overview of international human rights law and standards to understand legal risk exposures, evolving regulation and stakeholder expectations.

The workshop will cover:

- **New expectations** on in-house lawyers and compliance officers
- **Best practice** from leading companies on how in-house legal counsel can lead or support the human rights work internally
- **International Bar Association** recommendations for lawyers and their uptake
- How to connect **anti-corruption and bribery compliance** programs with human rights
- **Particular dilemmas** of how to manage conflicting norms (international standards in conflict with domestic regulation, for example the prohibition of free trade unions); human rights compatible grievance mechanism versus data protection and privacy laws and how to keep the balance between increased transparency and respecting legitimate commercial confidentiality.