

## HUMAN RIGHTS AND PUBLIC PROCUREMENT:

A Roundtable Discussion on Integrating Human Rights into Public Procurement Processes



THE DANISH  
INSTITUTE FOR  
HUMAN RIGHTS

**2014 UN Forum on Business and Human Rights**  
**Palais de Nations, 1 December 2014, 16:30 – 18:00, Room XXI**

### Session Overview

The purchase of goods and services by public bodies accounts for hundreds of billions of dollars each year. Across OECD countries, public procurement accounts for an average of 12% of GDP. The United States government, for example, spends approximately USD 350 billion annually in federal procurement alone, and, in the European Union, around 20% of GDP is spent on procurement, including procurement by public utilities. The State thus has significant influence on the rules of the game in markets and can incentivize or require businesses who wish to avail themselves of government contracts to engage in the responsibility to respect human rights. Conversely, when government procurement focuses exclusively on lowest cost, State bodies may contribute to an increased risk of unfair market competition and systematic human rights abuse in supply chains, while at the same time they may negatively impact suppliers that have invested time and resources into setting up supply chain management systems where respect for human rights is an integral part.

This parallel session will combine a working session on public procurement reports and initiatives with a multi-stakeholder, open dialogue on the human rights dimensions, risks, and opportunities of public procurement, as well as relevant international, regional, and national legal frameworks. The side event will also function as an opportunity to highlight case studies, best practice, and other experiences of integrating human rights into public procurement.

### DETAILED AGENDA AND LIST OF PARTICIPANTS

- **Welcome and Introductory Remarks (5 minutes)**
  - *Moderator:* Amol Mehra, International Corporate Accountability Roundtable (ICAR)
- **Presentation of the ICAR Report, *Turning a Blind Eye? Respecting Human Rights in Government Purchasing* (10 minutes)**
  - Robert Stumberg, Professor of Law, Georgetown University Law Center; International Corporate Accountability Roundtable (ICAR) Expert
- **Response: The European Law Context for Public Procurement (5 minutes)**
  - Claire Methven O'Brien, Strategic Advisor, Danish Institute for Human Rights (DIHR)
- **Stakeholder Perspectives (25 minutes)**
  - *Guiding Questions:*
    - How have you or how has your government factored human rights into procurement processes? What have been the successes or challenges in such efforts?
    - Do you see procurement reform that recognizes human rights standards as workable in incentivizing corporate conduct towards respect for human rights? What challenges or opportunities do you see towards this end?
    - What key issues must be addressed?
  - *Lead Discussants – 3-5 minutes each to answer the above Guiding Questions*
    - Alan Krill, Foreign Affairs Officer, Internet Freedom, Business, and Human Rights, Bureau of Democracy, Human Rights, and Labor, U.S. Department of State
    - Björn Skorpen Claeson, Senior Policy Analyst, International Labor Rights Forum (ILRF)
    - Motoko Aizawa, Managing Director USA, Institute for Human Rights and Business (IHRB)
    - Daira Gómez, Executive Director, CEGESTI (Costa Rica)
    - Jenny Ählström, Senior Advisor, Socially Responsible Public Procurement, Agency for Public Management and eGovernment / Difi (Norway)
- **Multi-Stakeholder Open Dialogue and Discussion (40 minutes)**
- **Concluding Remarks (5 minutes)**