

Belgium Statement during the National Actions Plans Session during the Sixth UN Forum on Business and Human Rights 2017

Since July 2017, Belgium has an National Action Plan on Business & Human Rights. The approval of the governments of the NAP was the end of a long process, started already in the late 2013. It was, I have to say, a long journey with ups and downs, sometimes speeding up, sometimes slowing down.

In the Belgian context, it was very important that the Belgian NAP is a National Plan. It was discussed and agreed on between the federal state and the different Belgian regions. Business and Human Rights is a very broad concept and is linked with different policy domains and competences, so that had to be reflected into the NAP, to tackle the different aspects of Business and Human Rights.

It was also of great importance in the process to include different stakeholder groups. On different occasions, the input of the stakeholders was made possible. 51 civil society organisations were involved. On top of that we also consulted several recognized stakeholder councils, such as the Federal Council for sustainable development, the Council for Policy Coherence for Development, the Consumers Council and the Council for SMEs. As for Belgium the social dialogue remains very important, also the National Labour Council, the Central Economic Council, in which employers and trade unions are both represented in an equal manner, were consulted.

In addition to the stakeholders' contribution, the action plan was also based on a "mapping exercise".

The coordination of the process was in the hands of the Interdepartmental Commission for Sustainable Development. In this commission all federal administrations are represented, as well as the different Belgian regions. The whole process was streamlined by a 'joint venture' of the ministry of foreign affairs and the federal administration for sustainable development.

In the NAP, Belgium stresses the importance of an international approach and framework. In the NAP, together with the UNGP B&HR we promote also the use of Agenda 2030 and its Sustainable Development Goals, the Tripartite declaration of principles concerning multinational enterprises and social policy of the ILO, the OECD guidelines, the ISO26000 guidelines on Social Responsibility and initiatives as the Global Compact and the Global Reporting Initiative. By promoting these norms, guidelines and frameworks, we wish to strengthen them and give them more visibility as qualitative instruments, instruments that were agreed on at an international level and in consultation and cooperation with stakeholders.

In the Belgian NAP we also make a link with the concept of Social Responsibility. For companies and organisations, the attention given to human rights is often part of their approach to sustainable and socially responsible entrepreneurship. The first consultation off the stakeholders revealed a clear preference for merging two exercises (the Corporate Social Responsibility Action Plan and the Business and Human Rights NAP) rather than have two different action plans.

The NAP also includes a monitoring process. Every year, the Interdepartmental Commission for Sustainable Development, has to report, in its yearly report, on the progress made with the implementation. This report is send to all members of the Federal Parliament and will also be send to the different stakeholder councils. Within three year, an assessment and update is foreseen with all the stakeholder.

The Belgian NAP contains 33 different actions. Most of the actions can be linked with the first pillar of the B&HR Framework: the duty of the state to protect.

I am not going into the details of all the actions, but I want to mention one specific action that is situated in the third pillar: access to remedy, as it is the theme of the forum. The action includes the mapping of all different state-based judicial and non-judicial mechanism in Belgium (and at the international level) that can provide access to remedy. It was one of our first actions to implement. The mapping was done by the Faculty of Law of the University of Antwerp. The result was translated into an easy-to-read, understandable and practical brochure, that explains the what, the how, the where, the conditions and the expected outcome of the most usable judicial and non-judicial state-based mechanisms and procedures. The brochure is available in 4 languages and will be distributed to all stakeholders, as well as Belgian layers, attorneys and judges and will also be available in the Belgian Embassies and Consulates. It is also made available online, as the Belgian NAP itself.