EU-US TRADE AND TECHNOLOGY COUNCIL

WORKING GROUP 10 – GLOBAL TRADE CHALLENGES

ROUNDTABLE ON DUE DILIGENCE

Hybrid event

Date: **3 March 2023**
Venue: Room 2.A, European Commission, **Albert Borschette Conference Centre**, Rue Froissart 36, 1040, Brussels and **online via WebEX**

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As agreed in the Paris-Saclay Joint Statement of the Trade and Technology Council of 16 May 2022, TTC Working Group 10 on 'Global Trade Challenges' is convening a roundtable discussion, under the work strand 'Trade and Labour', on the importance of carrying out due diligence for responsible business conduct in supply chains. This event aims to allow EU and U.S. government representatives, together with labour, business, and other key stakeholders, to discuss recent developments, potential areas of cooperation, and the role stakeholders can play in meaningfully implementing due diligence in supply chains.

The focus of the roundtable is to promote *inter alia* labour rights in supply chains, including the eradication of forced labour, and the importance of multistakeholder engagement in trade policy. This event addresses (a) legislative and non-legislative initiatives in the EU and U.S. addressing labour rights in global supply chains; (b) strengthening collaborative stakeholder capacity by sharing best practices to conduct due diligence; (c) supporting partner governments in translating commitments to due diligence in global supply chains into concrete actions.

PROGRAMME

Hour - CET	Topic
12:00 – 12:30	**Check – in (In-Person only)**
12:30 – 14:00 **In-Person** *12:30 – 13:00* *13:00 – 14:00*	**Networking lunch with a discussion on a comprehensive approach for meaningful due diligence implementation: tools and support measures for due diligence, including for the eradication of forced labour from supply chains.** The topic will be introduced by Carsten SORENSEN (INTPA) and Anna ATHANASOPOULOU (GROW) Networking sandwich lunch
14:00 – 14:30	**Check – in for Roundtable on due diligence (Hybrid)**
14:30 – 14:45 **Hybrid**	**Welcome and introduction to the Roundtable** Maija LAURILA (JUST), Madelaine TUININGA (TRADE) and Claudia CALDERÓN (USTR)
14:45 – 16:00 **Hybrid** *14:45 – 15:20* *15:20 – 15:50* *15:50 – 16:00*	**SESSION 1: Moderated discussion on how to reinforce transatlantic due diligence practices** Panel discussion moderated by **Tyler GILLARD**, Special Adviser at Responsible Business Alliance (RBA). On the panel: **Anti-Slavery International** (Hélène de Rengervé, Senior EU Adviser); **ETUC** (Isabelle Schömann, Confederal Secretary); **BMW Group** (Dr. Irene Feige, Head of Climate Strategy and Circular Economy); **Tony's Chocolonely** (Pavithra Ram, Impact Navigator) - Questions & Answers - Conclusions & Recommendations
16:00 – 18:25 **Hybrid** *16:00 – 17:36*	**SESSION 2: Case studies – sharing best practices and lessons learned from the implementation of due diligence approaches, including through collaborative multistakeholder initiatives.** 3 case studies presentations, moderated by **Amol MEHRA**, Director of Industry Transformation, Laudes Foundation.

	○ **Minerals/Technology** Julian Lageard, Director, Global Government Affairs, Intel Corporation Boukje Theeuwes: Head of Policy Influencing, Solidaridad Europe ○ **Cotton/Textiles – Dindigul** Jennifer Rosenbaum, Executive Director, Global Labor Justice/International Labor Rights Forum Meghna Sarma, Senior Director, Corporate Responsibility, PVH Corp ○ **Cocoa/Chocolate** Matthias Lange, Executive Director of the International Cocoa Initiative Fanny Gauttier, EU Public Affairs Lead at the Rainforest Alliance
17:36 – 18:16 *18:16 – 18:25*	- Questions & Answers - Conclusions & Recommendations
18:25 – 18:30 **Hybrid**	**Closing remarks** Laine ROMERO-ALSTON (USDoL)
18:30 – 19:30 **In-Person**	**Networking reception**

CASE STUDIES (summaries)

Case study #1: Minerals/Technology

The European Partnership for Responsible Minerals (EPRM) was founded in 2016 as an accompanying measure to the EU Responsible Minerals Regulation (EURMR). The overarching goal of the EPRM is ***'to create better social and economic conditions for mine workers and local mining communities, by increasing the number of mines that use responsible mining practices in Conflict-Affected and High-Risk Areas (CAHRAs), potentially contributing to conflict and risk reduction'.*** The EPRM aims to increase the proportion of responsibly produced minerals from CAHRAs with a focus on the four so-called 'conflict minerals': tin, tantalum, tungsten, and gold (3TG). To reach this goal the EPRM has financed up to 18 projects in 11 different countries with a value of EUR 7.1 million that contribute to the EPRM's ambitions.

The EPRM case study will focus on two projects, *Capaz I and II,* that have demonstrated a successful multistakeholder approach to improve responsible mining practices by developing *the* 'Market Entry Standard' entitled CRAFT (Code of Risk-mitigation for ASM engaging in Formal Trade). CRAFT is an open-source standard for artisanal and small-scale mining (ASM) actors to demonstrate that the gold they sell was extracted according to OECD Due Diligence Guidance. It also sets a way forward for the continuous improvement in risk management practices within the sector. The CRAFT approach seeks to incentivise better environmental and social practice and support economic development in ASM communities by enabling their access to OECD-conformant supply chains. The code is trusted by industry as they see it as a means to engage with ASM and is used by companies to help them on their responsible sourcing journey. A responsible gold supply chain was established, and a second phase of the project aimed to achieve a wider impact. As a result, 32kg of responsibly produced gold was exported to Europe.

Case study #2: Cotton/Textiles – Dindigul Agreement

The Dindigul Agreement to End Gender-Based Violence and Harassment is a multistakeholder enforceable brand agreement (EBA) that commits suppliers and brands to prevent, monitor, and remediate gender-based violence and harassment (GBVH) at covered factories. The Dindigul Agreement enables workers and the Tamil Nadu Textile and Common Labor Union (TTCU) to implement a training, monitoring, and remediation programme on the shop floor and includes strong protections against retaliation. Brand signatories commit to imposing business consequences on the participating supplier, Eastman Exports, for any failure to comply with the Agreement. The Dindigul Agreement is legally enforceable through arbitration and governed through a multistakeholder Oversight Committee that includes an independent grievance mechanism for noncompliance. This case study highlights the importance of collective bargaining and EBAs as tools to lift standards and prevent workplace exploitation. Many stakeholders are optimistic that the Dindigul Agreement can serve as a model for future EBAs to address GBVH and related labour rights violations in supply chains.

Case study #3: Cocoa/Chocolate

Child labour and forced labour are the two most salient human rights risks in cocoa – a commodity overwhelmingly produced by smallholder farmers. Complex root causes (such as poverty, a lack of access to quality education, health services and social protection, scarcity of land, and food insecurity) make child labour and forced labour challenging to tackle and means that no one actor can solve the issue alone.

Experience has shown that an approach that supports farmers to tackle human rights issues, rather than punishes them, helps to keep these issues visible and allows them to be addressed. This is reflected in both ICI's Child Labour Monitoring and Remediation System (CLMRS) and the Rainforest Alliance's assess and address approach that covers child labour and forced labour, as well as discrimination and workplace violence and harassment within its 2020 Certification Program, which will be explored during the session.

ICI, together with its members and partners, is also developing and testing new approaches to prevent, identify and respond to forced labour risks**.** These include risk assessment and data collection tools, awareness raising and training material, templates for cooperative policies on forced labour, in addition to work on grievance mechanisms, contract facilitation and mediation.

ICI and the Rainforest Alliance are also working together, along with Solidaridad West Africa and with the support of the Norwegian Agency for Development Cooperation, on a project to tackle child labour and forced labour in cocoa and gold mining communities throughout Ghana.

During this session, ICI and the Rainforest Alliance will discuss existing approaches that can help companies fulfil due diligence responsibilities, as well as the progress collective efforts have had so far in tackling human rights issues in cocoa, and the challenges that remain.

SPEAKERS AND MODERATORS

Dr. Irene Feige, Head of Climate Strategy and Circular Economy, BMW Group Corporate Strategy

As Head of Climate Strategy and Circular Economy Dr. Irene Feige is engaged in setting the strategic roadmap for making the product truly sustainable. Bringing down CO2 and resource consumption is directly linked to reducing the climate impact and other negative effects such as land use changes or biodiversity loss. Before driving the sustainability movement within BMW Group, she held various positions in corporate strategy and stakeholder management. She has 20+ years of experience in the transport industry in strategic functions and has a strong background in the scientific community. She teaches an MBA course 'Sustainable Mobility' at the Technical University of Berlin. She holds a PhD in economics.

Fanny Gauttier, Public Affairs Lead Europe, Rainforest Alliance

Fanny Gauttier is the EU Public Affairs Lead for the Rainforest Alliance. In this position, she oversees engagement with the EU institutions on key pieces of legislation, such as the EU Deforestation Regulation and the proposed Corporate Sustainability Due Diligence Directive. Prior to this role, she was the Senior Manager for European Policy for Conservation International, where she led on engagement with EU decision-makers on key policies such as biodiversity, climate change, deforestation and development cooperation. She also previously served as a Policy Officer in the European Bureau of French Agriculture, where she was responsible for EU policies on the environment, climate and energy, and coordinated engagement with the European Parliament. She holds a master's degree in political science and European studies, and a Master of Arts in European Interdisciplinary Studies from the College of Europe.

Tyler Gillard, Special Adviser, Responsible Business Alliance (RBA) (moderator)

Tyler Gillard has 20 years of experience in sustainability, supply chains, due diligence, human rights, and public policy. Tyler currently serves as an independent Special Adviser to the Responsible Business Alliance (RBA) and its Board of Directors. In this role, he advises the RBA and its initiatives on strategy, stakeholder relations and risk management to strengthen the RBA's impact and global reach. Previously, Tyler was the Head of Due Diligence and Senior Legal Adviser in the OECD's Centre for Responsible Business Conduct, where for more than a decade he led the team that helped negotiate the OECD's international standards for responsible business conduct. Tyler has worked with policymakers to design regulation on conflict minerals, modern slavery, deforestation, sustainability reporting and responsible supply chains. He and his team at the OECD also worked closely with business, trade unions and civil society to strengthen the alignment of industry and multistakeholder initiatives and the overall effectiveness of market-based mechanisms on sustainability in global supply chains.

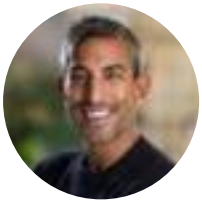
Julian Lageard, Director, Global Government Affairs, Intel Corporation

Julian Lageard was born in the UK in 1968, holds a Bachelor of Arts Degree from Lancaster University and a Master of Science Degree from Imperial College, University of London. He worked in the European Parliament from 1992-94 and subsequently as a consultant in EU affairs. Since 2000, Julian has been based in the Brussels office of Intel Corporation and is Director, Global Government Affairs. He has worldwide responsibility for ESG and Responsible Business Conduct policy. Julian chairs AmCham EU's Task Force on Responsible Business Conduct as well as the DigitalEurope and techUK groups on Responsible Business Conduct. He is a member and one of the founding strategic partners of the European Partnership for Responsible Minerals (EPRM), Member of the OECD Multi-Stakeholder Group (MSG) on Responsible Minerals Supply Chain and Member of the Business at OECD Committee on Investment and Responsible Business Conduct.

Matthias Lange, Executive Director, International Cocoa Initiative

Matthias Lange was appointed Executive Director of the International Cocoa Initiative (ICI) in 2021 after being with the organisation for 10 years, previously occupying the post of Director of Operations and Strategy. Before joining ICI, Matthias worked for over 10 years on international development and humanitarian aid programmes in the areas of food security and nutrition, in West Africa and the Sahel Region for the French Ministry of Foreign Affairs, in Brussels for the European Commission and in Paris for the French government.

Amol Mehra, Director of Industry Transformation, Laudes Foundation (moderator)



Amol Mehra, Esq. is the Director of Industry Transformation at Laudes Foundation where he oversees programmes relating to the transformation of industries, including fashion and the built environment, to address the dual crises of inequality and climate change. Previously, he served as Managing Director of the Freedom Fund, a leader in the global movement to end modern slavery, and as Executive Director of the International Corporate Accountability Roundtable (ICAR), a leading human rights organisation harnessing the collective power of progressive organisations to push governments to create and enforce rules over corporations that promote human rights and reduce inequality. He serves as a Founding Member of Funders Organized for Rights in the Global Economy ("FORGE"); as a Council Member of the World Economic Forum Global Future Council on Human Rights; as a Board Member of EarthRights International; on the Advisory Council for the Center for Business and Human Rights at NYU Stern and as a Commissioner on the United Nations Financial Sector Commission on Modern Slavery and Human Trafficking ('Liechtenstein Initiative').

Pavithra Ram, Impact Navigator, Tony's Chocolonely

Pavithra Ram is the Impact Navigator at Tony's Chocolonely. She is Tony's Open Chain's research, data and insights and policy lead. She has over a decade of experience in strategic planning, communications, M&E and social research in international development, public health and human rights on programmes in south and south-east Asia and Africa. She has been in cocoa and at Tony's for over three years and believes that financial success and sustainable business practices are like sea salt and caramel – they can (and must) work together.

Hélène de Rengervé, Senior EU Adviser, Anti-Slavery International

Hélène de Rengervé holds 20 years of experience in managing, advocating and fundraising for national and international non-profit organisations. She held different positions (Admin & Finance Director, Head of Brussels office, Head of Donor relations) in the field of the rehabilitation of torture victims where she worked from 2001 till 2014 in different national and international functions (AVRE, Parcours d'Exil, IRCT). From 2014 to 2016, she worked for ECPAT International on the fight against Sexual Exploitation of Children and from 2016 to 2018 she successfully led the Programme Coordination Unit for Protection International in support of Human Rights Defenders across 3 continents. Since 2020, she supports the advocacy work of Anti-Slavery International in Brussels with a focus on Business and Human Rights issues.

Jennifer Rosenbaum, Executive Director, Global Labor Justice/International Labor Rights Forum

Jennifer Rosenbaum is an attorney, organiser, and human rights strategist advocating for human rights, decent work for all, and fair migration. For over two decades she has used legal, policy, and advocacy strategies to win access to rights and collective power for low-wage workers and advised workers' centres on transnational grassroots collaborations. Global Labor Justice follows a more than ten-year record in the post-Katrina Gulf Coast where she created a new model of movement lawyering as the founding legal and policy director for the National Guestworker Alliance and the New Orleans Workers' Center for Racial Justice. She has litigated cases before trial and appellate courts and led the human, labour, and migrants rights strategy for campaigns including the Signal workers, who exposed labour trafficking from India to the Gulf Coast after Hurricane Katrina, and the Justice@Hershey's campaign, where hundreds of foreign students won new regulations for the cultural exchange visa programme. She has extensive experience with human rights investigations, legal strategies that build collective power, and advising worker, immigrant, and community organisations. She has testified before Congress, writes and speaks globally, and is regularly consulted by national and global media. She is the co-chair of the American Bar Association's International Labor and Employment Committee and lectures on labour migration and comparative social justice lawyering approaches at Harvard Law School. She previously held a Robina Fellowship at the Orville H. Schell. Jr. Center for International Human Rights with a focus on the intersection of global supply chains and labour migration. She is a graduate of the University of Tennessee and the Harvard Law School.

Meghna Sarma, Senior Director, Corporate Responsibility, PVH Corp

Meghna Sarma is a Senior Director in PVH Corp's Corporate Responsibility (CR) department and supports the Corporate Responsibility senior leadership team on crisis management and addressing PVH's high-risk issues. She is also responsible for designing CR risk frameworks and monitoring regulation and policy as it relates to sustainability. She also led the development of PVH's migrant labour and modern slavery strategy. Prior to joining PVH, she was a Legal Advisor at the International Center for Transitional Justice, a non-profit organisation focused on conflict resolution. In this capacity, she handled numerous legal and policy matters including employment issues, corporate compliance and board relations. She has a B.A from New York University in Economics and Political Science, a JD from Fordham Law School, a certificate in Sustainable Design from the Fashion Institute of Technology (FIT) and an MBA from NYU Stern.

Isabelle Schömann, Confederal Secretary, ETUC

Isabelle Schömann was elected Confederal Secretary at the ETUC's 14th Congress in Vienna in May 2019. She heads ETUC policy on workers' participation and European Works Councils, industrial policy and company law, competition law, labour law and human rights, single market legislation, digitalisation, standardisation, and corporate social responsibility. Previously, she was a principal adviser to the European Commission's Regulatory Scrutiny Board providing quality control on all impact assessments and major evaluations by Commission services. From 2005 to 2016, she was a senior researcher with the European Trade Union Institute (ETUI) in Brussels, covering European social dialogue and European and comparative labour law, corporate governance and workers' participation, fundamental social rights, and the impacts of the 2008 crisis on workers' rights and the Commission's Regulatory and Fitness Performance Programme (REFIT) on labour rights. Isabelle was legal advisor to the European Economic and Social Committee Workers' Group on the European Pillar of Social Rights. She has a postgraduate degree in social and labour law from the Sorbonne in Paris and has authored and co-authored a wide range of studies on trade union issues.

Boukje Theeuwes, Head of Policy Influencing, Solidaridad Europe

Within Solidaridad Europe Boukje Theeuwes is responsible for policy and advocacy programmes related to various international supply chains, including the cocoa sector and the ASM gold mining sector. Solidaridad is an international civil society organisation with over 50 years of experience in developing solutions to make communities more resilient — from early roots supporting repressed communities in Latin America to its current work fostering more sustainable and responsible supply chains. Solidaridad's mission is to work throughout the whole supply chain to make sustainability the norm and enable farmers, workers and miners to earn a decent income, produce in balance with nature, and shape their own future. Solidaridad currently works in over 40 countries, on five continents, through eight independently supervised regional offices. Solidaridad's work covers a wide range of commodities, including cocoa, coffee, cotton and textiles, fruit and vegetables, gold, leather, livestock, palm oil, soy, sugar and tea. Boukje represents Solidaridad in various multistakeholder initiatives, public private partnerships and roundtables. She holds a Master of Science in Industrial Engineering and Management Sciences from Eindhoven University of Technology in the Netherlands, where she specialised in supply chain management and operations research. Prior to joining Solidaridad, she worked for Philips on advancing supply chain sustainability in the electronics industry.

The Trade & Technology Dialogue (TTD), the organiser of this event, supports the EU-U.S. Trade and Technology Council with stakeholder activities and analysis. TTD activities are published on **Futurium**. Here, you can also find more information on all TTC Working Groups and make your voice heard by providing written input.

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