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Polish Institute for Human Rights and
Business ul. Mireckiego 25/36
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COMMUNICATION ON ENGAGEMENT

Period covered: May 2018 - May2018

Dear Sirs,

Acting on behalf of the Polish Institute for Human Rights and Business, I am pleased to express continuous support of the Polish Institute for Human Rights and Business for the UN Global Compact and its ten principles.

With this commitment, we renew our intent to advance these principles within our sphere of influence and will make a clear statement of this commitment to our stakeholders and the general public. We also pledge to continue our participation in the activities of the UN Global Compact where appropriate and feasible, through e.g. awareness raising and capacity building efforts; sharing our human rights and labour rights expertise with other organizations; and engagement in partnership projects, as well as participation in UN Global Compact Local Network Poland and involvement in specialized initiatives and work-streams.

Polish Institute for Human Rights and Business (PIHRB): Basic information

Polish Institute for Human Rights and Business is an independent, impartial, non-profit foundation offering advanced expertise in Human Rights and Business, labour law and relations, social unrest, stakeholder engagement and Corporate Social Responsibility (CSR).

PIHRB aim is to advance Human Rights and Business/UN Guiding Principles on Business and Human Rights (UNGPs) implementation in Poland and beyond, by contributing through research and activities that influence the everyday practice of all market actors, policy and legislation development as well as educational activities, to improved respect for human rights and sustainable development principles in business context.

PIHRB brings together a group of experts with advanced academic expertise and on-the-ground operational experience of working with human rights & business issues from variety of perspectives (public sector, trade unions, CSOs & academia as well as experience of advising business), who are recognized for their expertise in Poland and abroad.

Convinced that only enhanced and open cooperation and interaction of all actors can result in most effective and fair solutions for all, **PIHRB cooperates with all stakeholder groups**, to:



- Raise awareness and improve **business** competencies in the area of human rights to help them understand what human rights are and how to respect them in everyday conduct (e.g. presentations at business-oriented events, generic and tailored trainings and workshops on human rights in the business context, research, publications).
- Build capacity of **NGOs and Trade Unions** to enhance effectiveness of their action in the area of human rights and business (e.g. workshops, research, mailing list, publications, coordination of the CSR Watch Coalition). PIHRB has also co-initiated creation of the CSR Watch Coalition Poland, to create a representative partner for government in the area of human rights and business, as well as cooperates with international NGOs platforms like European Coalition for Corporate Justice and OECD Watch.
- Provide support to the **public administration** in efforts leading to introduction of legislation and policies promoting and supporting responsible business conduct (e.g. contributing to the consultations, research, member of the Group on SD & CSR, conducting social audits of manufacturing companies on behalf of (foreign) export credit agencies to help them assess the investment risk and leverage impact on the supply chain of their credit-recipients).

PIHRB also undertakes **education and awareness raising activities** aimed not only at the above mentioned groups, but also at youth to ensure that the next generation is sensitized to HR issues before entering the market (conferences, seminars, projects, publications, cooperation with student volunteers, internships). PIHRB also cooperates with recognized academic institutions. In the reporting period PIHRB contributed to teaching *inter alia* at the University of Bergen, Norway (Master Course on Business and Human Rights), Vistula University (Warsaw), etc. We have also organized a study visit (13 June 2018) for the experts and academics from the Yaroslav Mudryi National Law University in Kharkov, Ukraine as part of the project “[Visegrad Fund: Business and Human Rights - Legal Frameworks](#)”, within which we have also contributed to the development of the BHR curricula for Ukrainian law students (June 2018).

Since the beginning, UNGPs implementation is at the core of our attention, and thus **in the reporting period we continued to monitor the implementation of the Polish National Action Plan for the Implementation of the United Nations Guiding Principles on Business and Human Rights 2017-2020** (adopted in May 2017 by the Polish government). To that end we have used the requests for public information procedure to obtain information about the progress in implementation and plans for the future NAP.

Since 2018 we are also engaged on pro-bono basis in improving legislative framework and developing tools aimed to help identify and prevent forced labour in Poland, as a **coordinator of the Working Group on Workers operating within Committee on Sustainable Development and CSR, an auxiliary body to the Minister of Funds and Regional Development** and prior to that, the Minister of Innovation and Development. Prior to that we contributed to the work of its predecessors i.e. the Minister of Investment and Economic Development and Minister of Economy (2014-2015);with Ministry of Economy (2014-2015). The WG has developed a draft definition of forced labour, which was approved by the aforementioned Committee and shared by the Minister of Innovation and Development with the Minister of Justice with recommendation that the legislation process is undertaken to respond to problems raised by the judges, police and prosecutors (2019). Additionally the WG has developed a toolkit for business



on how to prevent forced labour in the supply chain, which provides not only guidance but also a set of very concrete, ready to “take & use” tools (2020).

In 2019, a new **Section on Human Rights in Sport** was founded within PIHRB to undertake research and provide a neutral platform for various stakeholders to address core issues of concern and improve respect for human rights of players. PIHRB has also engaged with players organizations in April 2020 to submit a complaint to the Polish Ombudsman regarding the breach of rights of players but clubs and other sport players employers and contractors.

We regularly **publish reports, policy papers, as well as articles aimed for general public** with an aim to make this complex area more accessible to all. Some of PIHRB’s experts articles and other papers include:

- Faracik B., „Należyta staranność: jeszcze dobrowolna, wkrótce obowiązkowa?” (Due Diligence: still voluntary, soon obligatory?), [in]: Biznes odpowiedzialny w Polsce. Raport Rzeczypospolitej (Responsible business in Poland. Rzeczpospolita Report), 20 March 2020
- PIHRB Report Series 1/2020: Basic analysis of the current situation in Poland regarding access to remedies in cases of fraud related to enterprises’ activities., Bartosz Kwiatkowski (ed.) developed as part of the Access to Remedy Project (March 2020)
- Faracik B., The lack of policy coherence - an underestimated challenge. [in]: Perspectives Paper Business and Human Rights – Towards a Common Agenda for Action, Finland’s Presidency of the Council of the EU, Conference Publication, 2 December 2019
- PIHRB Report Series 1/2019: Wpływ kultury włączającej na wyniki firmy. Narzędzia, wskaźniki, dobre praktyki. (Impact of the inclusive culture on the company performance), Beata Faracik (ed.), September 2019
- Faracik B., Mężyńska A., The Current Use of Metrics in Company Human Rights Reporting - Poland, Valuing Respect Project, September 2019
- Faracik B., „Całość jest większa niż suma jej części” (The whole is bigger than the sum of its parts) [in]: „Personel i Zarządzanie” (Personnel and Management), Nr 2/2020
- Sadowska D., „Korporacyjna (nie)świadomość” (Corporate (un)awareness) [in]: „Personel i Zarządzanie”(Personnel and Management), Nr 2/2020
- „Podstawą są prawa człowieka. Wywiad z Beatą Faracik,, Danuta Hernik, Puls Biznesu Weekend, 28 June 2019 r. (HR are the fundament. Interview with B.Faracik by Danuta Hernik)
- Faracik B., Mężyńska A., „Z głową czy na pokaz? Raportowanie informacji niefinansowych w obszarze praw człowieka” (With purpose or for show? NFR in the area of human rights), Rzeczpospolita Report: Biznes odpowiedzialny w Polsce, 20 March 2019, p. 16-17
- Faracik B., Raportowanie praw człowieka (Human Rights Reporting), Parkiet – Akademia Inwestycyjna, 21 September 2018
- Faracik B. (2018): 'Non-legal Barriers to Sustainable Public Procurement in Poland, European Procurement & Public Private Partnership Law Review, vol. 3, pp. 184-197.

We have also contributed to the expert’s debate hold by national Rzeczpospolita newspaper. The summary of the key points was published in Supplement on Responsible Business in Poland (Zapis z debaty nt. praw człowieka i biznesu (27 February 2019) Dodatek: Biznes odpowiedzialny w Polsce, 20 marca 2019 r., PDF: RP288681319-Biznes odpowiedzialny w Polsce 2019; p. 14 – 15; Video: [link](#)).



During the past 2 years PIHRB has conducted and was involved in a number of activities and projects supporting the ten principles and mission of the UN Global Compact, with the main focus of the activities being on the implementation of UN Guiding Principles on Business and Human Rights (UNGPs) and in particular raising the issue of barriers in Access to Remedy in cases of human rights abuses by business in Poland. The main activities and initiatives undertaken are described below.

SELECTED PROJECTS AND EVENTS

- **Improving the Performance of National Contact Points & Access to Remedy for Human Rights Disputes in Central and Eastern Europe** – PIHRB together with SOMO and in cooperation with the Frank Bold Foundation implemented a three-year project aimed at improving access to remedy for victims of corporate abuses, funded by the Dutch Ministry of Foreign Affairs. As a result of the project *inter alia* two cross-cutting analysis of the barriers in access to remedy in business-abuse related cases (2017, 2020) were developed, several capacity building workshops were organized for NGOs, Trade Unions as well as OECD National Contact points, diagnosis and recommendations for 9 of the CEE OECD NCPs were developed and discussed, three cases were submitted to the Polish NCP OECD out of which two found constructive solution and one is in progress. The project duration: July 2016 – December 2019.
- **SMART Project (Sustainable Market Actors for Responsible Trade)** – PIHRB is a member of an international research consortium that has been implementing the EU Horizon 2020 funded, three-year SMART project coordinated by the University of Oslo. PIHRB is contributing to the project with jurisdictional mapping of certain law areas in Poland and organization of the stakeholder oriented event on Sustainability in the Supply Chains. Additionally, the project resulted in the peer-reviewed article on the non-legal barriers to the sustainable public procurement implementation and recommendations as to how they could be overcome. The project duration: March 2016 – January 2020
- **Monitoring respect for human rights in factories and shipyards** – in the period covered PIHRB supported export credit agencies in verifying respect for human rights and labor rights in the supply chain in the shipbuilding industry. Additionally PIHRB joined the Electronics Watch as a monitoring partner and undertook preliminary verification of one of the electronics companies in Poland. (August 2019 – ongoing)
- **The Valuing Respect Project: Developing Better Ways to Measure Business Respect for Human Rights.** PIHRB is one of the regional partners in an international project led by Shift, the goal of which is to improve the use of information and indicators enabling effective and credible assessment of the level of respect for human rights by companies. PIHRB has i.a. conducted regional CEE consultations and carried out research into the human rights/non-financial reporting in Poland to inform development of solutions (2018 – ongoing).
- Partner in the “[Visehrad Fund: Business and Human Rights - Legal Frameworks](#)” led by Yaroslav Mudryi National Law University in Kharkiv (2018) and aimed at developing BHR curriculum for law students in Ukraine, PIHRB has contributed to this project by organizing study visit to Poland for Ukrainian experts, developing literature review to serve as the basis for the curriculum, conducting guest lecture and contributing to the Kharkiv Legal Forum’s BHR Roundtable with the key note presentation.



PIHRB has also either (co)organized or contributed to a number of BHR-focused events, for example:

- Session on ‘Regional dialogue: lessons learned, challenges, innovation – Eastern Europe’ during the **2019 UN Forum on Business and Human Rights** (UN Forum on BHR) in Geneva in cooperation with the UN Working Group on Business and Human Rights (Nov. 2019);
- **CEE Multi-stakeholder consultations** organized as part of the Valuing Respect Project by Shift (Oct.2019) and mini-consultations concerning Business Models Red Flags (December 2019).
- **CSR and Human Trafficking** – PIHRB presentation during an event organized by La Strada Foundation on the occasion of the International Day for the Prevention of Human Trafficking (July 2019)
- **How to ensure respect for human rights in business context and not to contribute to the humanitarian crisis** – PIHRB presentation on UNGPs and panel discussion during the Warsaw Humanitarian Expo 2019 organized jointly by PIHRB, Foundation Światło dla Afryki and Lex Nostra Foundation (June 2019)
- **Seminar “If and how the definition of forced labour should be incorporated into the Polish Criminal Code”** (“Czy i jak definicja pracy przymusowej powinna być włączona do Kodeksu Karnego?”), organized jointly by WG on Workers Rights (of the Committee on CSR and SD, an auxiliary body to the Minister of Investment and Development), Instytut Nauk Prawnych Polskiej Akademii Nauk, PIHRB and Stowarzyszenie Interwencji Prawnej. (June 2019)
- **ELSA Right2Be Forum** – PIHRB took a merit patronage over the event and provided advice to the law student society on the merit content of the project, presentation and developed full day workshop for students to familiarize them with HRDD based on the case study that covered issues from labour law, via forced labour to breaches of freedom of association (May 2019)
- **Seminar on Inclusive Culture** in cooperation with and funded by the Embassy of the Kingdom of the Netherlands (May 2019) Post-seminar publication is available at: <https://tinyurl.com/ute37l6> Selected texts were reprinted in journal for HR professionals “Personel & Zarządzanie” journal (February 2020 issue);
- **Annual General Meeting of the European Coalition for the Corporate Justice** – PIHRB hosted the ECCJ AGM as well as open sessions on current BHR issues, Warsaw (May 2019)
- **Roundtable „Human Rights in the Shipping Industry: from Shipyard to Scrapyard”** - PIHRB expert was invited to contribute to the forum, with presentation on the situation in the Polish shipping industry, London (May 2019)
- **Forum Inspiracji Kampanii 17 Celów – Introduction to forced labour prevention Table** - PIHRB has contributed to the inspiration and awareness raising forum concerning SDGs, with PIHRB expert leading discussions on forced labour (May 2019)
- **Conference on Cross-sectoral cooperation as a way to socio-economic development** (Częstochowa, Poland) – PIHRB provided merit patronage and guidance to the event organized by Jurajski Ośrodek Wsparcia Ekonomii Społecznej w Częstochowie and contributed by providing introductory remarks and moderating the whole day conference (February 2019).
- Presentation by PIHRB expert at the Conference „Teoretyczne i praktyczne problemy zarządzania nowoczesnymi organizacjami” (Theoretical and practical problems of the modern organizations management) organized by the Częstochowa Technical University (Oct. 2018)



- Presentation by PIHRB expert at the “Non-financial reporting and resilience of the publicly listed company” Conference organized by Stowarzyszenie Emitentów Giełdowych we współpracy z EY oraz Unicom (October 2018)
- Presentation on BHR with focus on mHRDD at the 2. Responsible Business Forum, Kiev, Ukraine (October 2018)
- Key Note and guest lecture by PIHRB President of the board at the 2. Kharkiv International Legal Forum, Ukraine (September 2018)
- Expert participation in the expert consultations of Valuing Respect Project, London (July 2018)
- Presentation by PIHRB President at the Ministry of Investment and Development conference “Responsible business – responsible development”, Warsaw (June 2018)
- PIHRB took a merit patronage over the ELSA Poland Summit “Law for Responsibility” aimed at law students and organized a discussion panel dedicated to business and human rights, Warsaw (June 2018)
- Presentation at the conference “Conclusions from the non-financial reports for 2017” for the publicly listed companies organized by Stowarzyszenie Emitentów Giełdowych (June 2018)
- Key note presentation by PIHRB President of the board at the expert seminar on „Securing Sustainable and Accountable Business in Europe: the role of National Action Plans (NAPs)” organized in Edinburgh at the initiative of the Scottish Government, Danish Institute for Human Rights and University of St. Andrews (June 2018)
- Presentation by PIHRB expert at the GIEK and Export Credit Norway Seminar for Investors in Norway (May 2018)
- PIHRB expert participation in the expert consultations within Valuing Respect Project, New York (May 2018)

Finally, PIHRB has taken the patronage over selected initiatives and events that were meant to advance respect of human rights by companies

Last not least, we are undertaking efforts to ensure that also our day to day operations have smallest possible impact on our surrounding, e.g. we try to reduce the use of paper for office purposes and use only eco- and recycled paper, also for printed publications.

We will continue to offer our expertise in order to undertake variety of initiatives engaging different actors, shaping strong partnerships and promoting mission of UNGC as well as support companies to build their capacity in sustainability by following the ten principles of the Global Compact.

Sincerely Yours

Beata Faracik
President of the Board