



HARVARD Kennedy School

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for Business and Government

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Members of the Legal Affairs Committee  
Federal Assembly, Switzerland  
Via email

Dear Members of the Committee,

As the former Special Representative of the UN Secretary-General on the issue of Business and Human Rights, the author of the UN Guiding Principles on Business and Human Rights, I take particular interest in following the progressive implementation of measures to advance business respect for human rights, including through national policy and law.

With great respect, and with gratitude for Switzerland's support of my UN mandate and the Guiding Principles, I was disappointed by the Swiss Government's decision not to put forward a counter-proposal to the referendum Initiative on responsible business conduct. The subject is of immense importance for major Swiss companies and for Switzerland's own national brand.

As you are likely aware, there is a range of recent developments that are particularly noteworthy in this regard. These include the adoption in France of the "plan de vigilance" law, the current debate in the Netherlands on a bill that would require disclosure on child labor risks, and implementation of the UK Modern Slavery Act with its requirement that companies explain how they are addressing forced labor risks in their supply chains.

In addition, the German government in its National Action Plan to implement the UN Guiding Principles set out its expectation that 50% of German companies with over 500 employees should be carrying out human rights due diligence by 2020. If that is not the case, the government will consider the various tools at its disposal to incentivize or require such action. Other such examples exist. All share common features with the core concepts of human rights due diligence set out in the UN Guiding Principles.

There is still an important opportunity in Switzerland for informed and thoughtful discussion of the issues being raised by the Initiative. I very much hope that the work of your Committee, and that of your parliamentary colleagues in the Foreign Affairs Committee, can help take advantage of this opportunity by supporting a constructive exchange between all stakeholders on how best to move forwards.

With thanks for your consideration, I am,

With best regards,

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