

EWLA

General Assembly Resolution

on

Corporate Social Responsibility in Europe

July 4, 2009

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The General Assembly of the European Women Lawyers Association (EWLA), held in Reykjavík, Iceland, on 4 July 2009, adopted the following

RESOLUTION ON CORPORATE SOCIAL RESPONSIBILITY IN EUROPE

Having regard to

- Article 6 EU, both in the present version and in the Lisbon Treaty, as well as the case law of the ECJ, which recognise that fundamental rights are an integral part of the EU legal order and binding as general principles of law;
- the international human rights obligations of the EU Member States, in particular under the European Convention on Human Rights, the European Social Charter, and the Convention on the Elimination of All Forms of Discrimination against Women;
- the Charter of Fundamental Rights of the European Union;¹
- the European Parliament Resolution on Corporate Social Responsibility: A New Partnership²
- the European Commission Communication Implementing the Partnership for Growth and Jobs: Making Europe a Pole of Excellence on Corporate Social Responsibility;³
- the Organization for Economic Cooperation and Development (OECD) Guidelines for Multinational Enterprises;⁴
- the International Labour Organization's Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy;⁵

EWLA emphasises that

- the respect and effective protection of fundamental rights in Europe constitute a core value of the Union and an essential element for bringing the citizens closer to the European Union;
- these fundamental rights encompass civil and political rights as well as economic and social rights and substantive equality between women and men;
- ensuring the protection of the human rights of all individuals affected by the conduct of European corporations in Europe and abroad is essential in order to realize the fundamental values of European Union Law;
- Corporate Social Responsibility is an independently valuable objective and a moral obligation incumbent upon good corporate citizens, as well as an integral aspect of any sustainable economic development policy;
- in today's globalised economic reality and in face of the current severe financial crisis, corporate social responsibility in the areas of social, environmental and economic policy has become a competitive necessity for multinational enterprises, but, at the same time, that uniform standards are necessary to prevent competitive disadvantages for corporations and to prevent a pick-and-choose approach;
- the substantive principles of corporate social responsibility standards must be *enabled* by an appropriate legislative and regulatory framework, which also aims at keeping the administrative burden of corporations to a minimum;
- transparency of information is a key component of an effective regime of corporate social responsibility.

For these reasons, EWLA recommends that

- the Commission introduce legislation concerning a mandatory and uniform reporting regime on corporate social responsibility requiring corporations incorporated in a Member State to disclose their implementation of the OECD Guidelines for Multinational Enterprises, including gender equality policy, notably the promotion of women employees on all levels, and measures taken to realise women's social and economic rights;
- an independent European monitoring mechanism be created for corporate behaviour and compliance with European law on corporate social responsibility, *e.g.* by awarding a European Corporate Social Responsibility kitemark;
- EU Member States co-ordinate their activities within the OECD to improve the effectiveness of the OECD Guidelines for Multinational Enterprises. They should aim at extending the applicability of these Guidelines to the financial sector and trade, as well as at introducing rules that ensure the independence of National Contact Points and an effective follow-up process;
- European institutions and the Member States widely disseminate the OECD Guidelines within the business community and among NGOs.

¹ Of 7 December 2000, [2000] O.J. C 364/1.

² Of 13 March 2007, 2006/2133(INI).

³ Of 22 March 2006; 2006 COM(2006)136 final.

⁴ As revised in 2000, adopted on June 27· 2000, and last updated in November 2001, OECD Doc. DAFFE/IME/WPG(2000)15/FINAL.

⁵ Adopted by the Governing Body of the International Labour Office at its 204th Session (Geneva, November 1977), as amended at its 279th Session (Geneva, November 2000) and its 295th Session (Geneva, March 2006).