

Strategic Framework 2021-2024

Who we are

The European Coalition for Corporate Justice (ECCJ) advocates for European laws that guarantee corporate accountability and transparency, and which ensure justice for victims of corporate malpractice.

We are guided by a vision of a sustainable world in which corporations' drive for profit is balanced with the interests of society at large, and where businesses respect human, social and environmental rights.

Our mission

By working together at the European level, the members of ECCJ aim to develop a common vision of corporate justice and build capacity among civil society organisations to influence policies and regulation to improve corporate accountability.

Our work is motivated by the express need to transform the EU, home to a large number of multinational enterprises, into a global leader in assuring high standards for corporate accountability, both at home and abroad. Although the majority of our activities take place within EU borders, their ultimate beneficiaries are communities and workers affected by corporate abuse both inside and outside the EU.

Where we stand

ECCJ is the only European coalition bringing together European campaigns and national platforms of almost 500 NGOs, trade unions, consumer organisations, academics and lawyers to promote corporate accountability. Since 2006, the Secretariat in Brussels has advocated to the EU institutions for legislative advancement on corporate accountability, as well as facilitated the sharing of expertise, skills and capacity amongst the membership. This unique role of a broad coalition drawing the expertise and experience from its membership and acting as their voice in Brussels is becoming ever more important.

Mandatory Human Rights and Environmental Due Diligence has become the key focus area of ECCJ's work

Historically, ECCJ has focused on corporate accountability in three key areas:

- Corporate liability (with a special focus on human rights due diligence based on the UNGPs).

- Corporate Transparency (with a special focus on the EU non-financial reporting directive).
- Access to justice for victims of corporate abuse (both via judicial and non-judicial mechanisms).

With the rising momentum that ECCJ helped build up on mandatory Human Rights and Environmental Due Diligence (mHREDD) both at EU but also at national level, these three lines of work are merging into one, with mHREDD becoming the main avenue towards binding rules for corporations to ensure that they respect human rights and the environment. This avenue has the potential to integrate elements of improved access to justice, and to subsume corporate reporting as a part of a more substantial new corporate duty of care.

Especially considering the climate emergency, but also the persistent land grabs and environmental degradation caused or contributed to by corporations, it is clear that due diligence must comprise also a duty to prevent, mitigate and remedy negative impacts on the environment.

However, in order to be effective, any human rights and environmental due diligence legislation must incorporate elements of corporate liability and concrete tools allowing for access to justice and remedy for victims of corporate abuse. Corporations must feel and experience serious consequences if they fail to respect human or environmental rights. Victims must not be left to cover the costs of the harm done to them.

Where Europe stands

The period of 2021 to 2024 will start off with a Europe coming out of the Covid-19 Pandemic which exposed social injustice not only within societies but throughout the global economy and along the world's entire supply chains. It illustrated why business as usual is no longer an option.

It is also the period of the European Commission under Ursula von der Leyen whose members have signalled on various occasions the willingness to look into due diligence legislation at European level. Finally, in April 2020, during a webinar organised by the European Parliament's Responsible Business Conduct Working Group, the EU Commissioner for Justice, Didier Reynders, committed to a legislative initiative on mandatory human rights and environmental due diligence obligations for EU companies in early 2021, which will include liability and enforcement mechanisms and access to remedy provisions for victims of corporate abuse.

At the same time, in more and more EU member or neighbouring states, momentum for national level legislation on human rights and environmental due diligence is growing, both from civil society but also on the side of governments, members of parliament or political parties. Some states have already started preparing or looking into such legislation, in other states, civil society campaigns are putting pressure in that direction. ECCJ is convinced that without a strong commitment of member states, a robust legislative framework at EU level will not be achievable. ECCJ also sees the big variety of legislative approaches in the different states and thus a need for better alignment and coordination. Within Europe, Eastern member states are lagging behind on this topic and civil society has not yet developed a strong voice on corporate accountability. ECCJ's aim is to support and foster developments of such a movement, filling those gaps on the European map and working towards an EU Council majority.

Beyond Europe, in Asia, Latin America, the US, Canada, Australia and Africa, civil society is ready to push for due diligence, too. This is a very exciting movement across the globe. ECCJ, being the key civil society coalition from the continent currently leading in making human rights and environmental due diligence a binding obligation for corporations, has a responsibility not only in supporting those developments outside of Europe to the extent possible, sharing expertise and experiences with other

civil society networks. But also to identify the advocacy opportunities for Europe, arising out of legislative or case law developments outside of Europe.

At UN level the negotiation of a Legally Binding Instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises at this point increasingly consisting with the UNGPs, aims to set international legislation complementary to the ambitions for the mHREDD in Europe. This process carries a great deal of support from civil society around the world and a growing number of States in Latin America, Asia and Africa are engaging.

ECCJ is ready to tackle these challenges and opportunities in order to advance on binding rules on corporate accountability.

Below, ECCJ lists the key goals and strategies for this coming period. Relevant activities executing the mentioned strategies shall be designed within ECCJ's annual Operational Plans. The Operational Plans shall also take into account developments concerning the fast-changing political context and indicate possible amendments to the overall set of goals and strategies.

Strategic goals and objectives for 2021 to 2024... and strategies to get there

GOAL 1

Strengthen companies' liability for human rights and environmental abuses along their value chains

Objective 1

More European (EU and non-EU) states adopt laws on corporate liability for human rights and environmental abuses along corporations' value chains, that allow for access to remedy at national level.

ACTIVITIES

- ECCJ will support national level movements and activities leading to this goal;
- More specifically, ECCJ will support its member organisations within such movements and activities;
- ECCJ will provide strategic guidance, advocacy tools and campaign materials to members and partners at national level;
- Particular emphasis will be put on advice on robust legal framing as well as visual and audiovisual advocacy tools which are easily accessible for non-experts;
- ECCJ will help align strategies amongst members and facilitate exchange on key topics as well as legislative developments and deliberations at national level;
- ECCJ will help to bridge the gap between proceedings at national and EU level relating to the

development of legislations on corporate accountability at each level (national, EU and international). This includes facilitation of intense exchange of information and liaising between key players on the different levels;

- ECCJ will seek to boost joint advocacy action, together with its member organisations, vis à vis Member States' Permanent Representations and Members of the European Parliament in order to usefully bring the European momentum to the national level
- ECCJ will track closely the interpretation and implementation of already existing legislations on corporate accountability and raise awareness about these developments via ECCJ's social media channels to help advance the corporate accountability agenda at EU level.

Objective 2

Previously uncommitted states European (EU and non-EU) states make commitments to support/introduce legislation on corporate liability for human rights and environmental abuses along their value chains, that allow for access to remedy at national level.

ACTIVITIES

- ECCJ will encourage a focus on states where a civil society movement is already working on this goal and/or states crucial to an EU council majority. In particular, ECCJ will enhance its coordination with and support to civil society movements in Southern and Central and Eastern European countries for the above purpose. ECCJ will apply similar support as for above mentioned Goal 1.
- ECCJ will continue to map the developments incl. commitments of European states and beyond, and raise awareness about these via ECCJ's social media channels to help advance the corporate accountability agenda across the EU.
- ECCJ will actively support coalition and movement building of civil society actors working on corporate accountability in those states, aiming also for new members to grow the coalition.

Objective 3

At EU level, introduce robust legislation which ensures liability for corporate environmental and human rights abuses.

Sub/interim outcomes:

- a. Ensure that a revised non-financial reporting directive and its national transposition laws will be aligned with this EU law.**
- b. Ensure that the future binding UN Treaty on business and human rights will provide a global framework for for corporate accountability and access to remedy.**
- c. Ensure that any new policy and legislative instrument at EU level aimed at regulating business conduct (particularly, public financial support packages for businesses) integrates human rights and environmental obligations and enhanced access to remedy provisions.**

ACTIVITIES

- ECCJ will put pressure on the European Commission via:
 - I. the EP through its instruments of legislative reports or resolutions and any form of parliamentary mechanisms;
 - II. other relevant EU bodies;
 - III. the relevant international organisations;
 - IV. the EU Fundamental Rights Agency (FRA);
 - V. the Council members;
 - VI. Press coverage in EU media with comments and opinion pieces.

- ECCJ will maintain an evidence base of cases as well as:
 - I. good and bad examples of mHREDD laws, explaining how and why they work (or not);
 - II. models of legislation.
- ECCJ will continue to develop, collect and disseminate:
 - I. Specific legal expertise on relevant areas such as concepts of liability, enforcement, environmental due diligence, and others as identified throughout the legislative processes;
 - II. Illustrative scenarios on how robust and effective legislation can make a difference.
- ECCJ will continue developing coherent messaging vis à vis the European Institutions, business associations, investors, and other key stakeholders both within the coalition but also within the wider civil society network of partners and allies;
- Where relevant, ECCJ will mobilise the European public with awareness-raising and outreach campaigns to garner support for the introduction of mHREDD laws using accessible language and materials for non-experts. ECCJ will increase its leverage by bringing member organisations to Brussels, linking them up with decision makers from their home country in all European institutions.
- ECCJ will increase leverage by actively collaborating with corporate accountability networks outside of Europe, mutually reinforcing each other and building global momentum for home state mandatory human rights and environmental due diligence legislation;
- With a particular view to sub-goals a) and b), ECCJ, together with its member organisations specialised in the relevant dossiers, will monitor developments and step in whenever the EU is failing to align its policies or to effectively protect human and environmental rights.
- ECCJ will continue to liaise and exchange with like minded civil society organisations working on corporate accountability but also anti-corruption, tax issues, gender, labour rights, climate change and others in order to form a broader movement of civil society calling for comprehensive binding rules on corporate accountability.

GOAL 2

Access to European courts is improved for victims of environmental and human rights abuses

Objective 1

ECCJ will secure commitment from the European Commission, especially DG JUST, to explore further legislation on access to judicial remedy beyond mHREDD (by 2024).

ACTIVITIES

- Based on DG JUST's previous work on the relevant topics, such as human rights and environmental due diligence, directors' duties, purpose of the company, etc., ECCJ will highlight the need for accompanying legislation for mHREDD to be effective, particularly, on applicable law (Rome II Regulation) and competent jurisdiction (Brussels I Regulation).
- ECCJ will continue to provide evidence and arguments for better collective redress, better support for victims to access justice, and other measures.
- ECCJ will continue to collect and disseminate experiences from national level and other EU legislation (e.g. conflict minerals regulation) how access to justice for victims of corporate abuse can work and be improved in practice.
- ECCJ will seek partnership with civil society movements outside of Europe who share the same goals in order to better coordinate our efforts and increase the leverage of our work at EU level.

GOAL 3

ECCJ will continue to build a robust movement and a sustainable organisation.

STRATEGIES

- ECCJ will ensure a sufficiently staffed and well functioning secretariat in order to meet the challenges of this new period;
- Provided there are sufficient funds which enable ECCJ to grow, ECCJ will create and implement a plan for sustainable growth of the organisation;
- ECCJ will ensure a balanced mix of gender, age and competences on its Board;
- ECCJ will likewise seek to ensure a geographical balance in the composition of its Board.
- ECCJ is a membership-based organisation and will ensure transparent and inclusive decision making with the entire membership;
- ECCJ will continue to work in a collaborative and open manner with other civil society organisations who share the same goals, and continue to strengthen engagement particularly with trade unions, consumer groups and environmental NGOs.