



## GNI Statement on the EU's Corporate Sustainability Due Diligence Directive

The Global Network Initiative (GNI) is the world's preeminent multistakeholder collaboration supporting freedom of expression and privacy in the technology ecosystem. Our membership includes many of the world's leading tech companies, as well as a wide range of academic, civil society, and investor experts. GNI has spent the last fifteen years systemically identifying lessons and generating consensus around good practice related to many of the key components of emerging regulatory approaches, including: effective stakeholder engagement; assessor training and accreditation; independent assessment of tech company policies and practices; meaningful transparency; and development of guidance around what effective human rights risk assessment and due diligence (HRDD) look like in practice.

The [GNI Principles on Freedom of Expression and Privacy](#) and our more detailed [Implementation Guidelines](#) guide tech company conduct and serve as the standard against which GNI companies are held accountable through our unique, independent [assessment process](#). GNI's approach to responsible tech company conduct is aligned with the OECD Guidelines on Multinational Enterprises (OECD Guidelines) and the United Nations Guiding Principles on Business and Human Rights (UNGPs), and we call on EU Member States and the European Parliament, with the support of the Commission, to adopt a robust Corporate Sustainability Due Diligence Directive that is aligned with these established international frameworks.

To ensure the Directive builds on the decades of experience and lessons learned regarding the implementation of robust HRDD practices, GNI recommends the following key points for the ongoing trilogue:

- 1. A comprehensive and risk-based approach to due diligence:** GNI strongly advocates for a comprehensive risk-based approach to due diligence that applies to the entire spectrum of risks and impacts across the full value chains of companies, including downstream risks related to the distribution, sale, and end use of products and services, in line with international standards and existing good practices. Given the significant downstream risks that the tech sector faces, as well as the unique interrelationships between the different layers of the "[Tech Stack](#)," a comprehensive value chain approach that prioritizes the most salient risks based on severity and likelihood is critical to identify and mitigate human rights risks. In our experience, *companies have demonstrated that this is not only feasible but essential to efficiently and effectively address human rights risks.*
- 2. The role of multistakeholder initiatives:** Multistakeholder initiatives like GNI facilitate meaningful stakeholder engagement, help identify and disseminate good practices, and foster cross-company and cross-stakeholder collaboration around risk identification and mitigation.

However, not all initiatives involving industry are the same. The Directive must ensure that new regulatory “floors” do not turn into “ceilings” that could disincentivize companies from going above-and-beyond narrow compliance measures. In line with the Parliament’s position, we hope to see further clarity and guidance on how the scope, alignment, and credibility of industry schemes and multistakeholder initiatives will be evaluated and determined.

- 3. Stakeholder engagement:** In line with [OECD Guidance](#), GNI recommends specifically articulating the importance of broad and meaningful stakeholder engagement, acknowledging challenges such as engagement fatigue, power imbalances, and the lack of follow-up with stakeholders. Our experience has proven that global civil society, academic, and investor expertise, influence, and perspectives can help companies design and implement robust HRDD frameworks and thus address relevant risks.

*GNI looks forward to continuing to contribute its experience and expertise on HRDD and corporate accountability in the tech sector. GNI stands ready to engage with policy-makers to drive a meaningful, multistakeholder, coherent, and comprehensive model for human rights due diligence in the European Union, rooted in international frameworks and existing expectations.*