



Hochschule für Technik und  
Wirtschaft Dresden  
University of Applied Sciences

# Das LKSG aus der Sicht von Unternehmen in Deutschland sowie aus internationaler Perspektive

Prof. Dr.-Ing. Ingo Gestring



Wisconsin/  
Illinois

Lima

Nieder-  
lande

Tschechische Republik

Georgien

Jordanien

Ägypten

Dubai

Ghana

Südafrika

# Eindrücke

Impressionen aus Afrika







1 PROTECTS  
2 SOOTHES  
3 HEALS

WITH ZINC OXIDE  
**NEW**  
WITH ZINC OXIDE

**Baby's Own Cream**  
PURE RASH CREAM

**ANTISEPTIC HEALING - NO MORE RASH®**

[www.gbandourcosmetics.com](http://www.gbandourcosmetics.com) | [f/gbandourcosmetics](https://www.facebook.com/gbandourcosmetics) | [i/gbandourghana](https://www.instagram.com/gbandourghana)

CONSULT A DOCTOR IF SYMPTOMS PERSIST AFTER 48 HOURS  
THIS ADVERT IS FDA APPROVED, FDA #A4-22140

GC  
Ghana

The advertisement features a woman smiling and holding a baby, with a jar of Baby's Own Cream. A circular diagram with three steps (1, 2, 3) is positioned to the left of the woman. The product name and 'NEW WITH ZINC OXIDE' are in a red seal at the top right. The main headline is in a red banner, and social media handles and a website are listed below. A disclaimer and FDA approval number are at the bottom.

**Top Choco**

THE TASTE OF CHOCOLATE

ENJOY THE TASTE OF CHOCOLATE WITH GC'S TOP CHOCO

HOT 30

The advertisement shows two jars of Top Choco chocolate spread on bread. The text is in a stylized font, and there's a small 'HOT 30' logo in the top right corner.















WONDERKOP SMELTER

BASIC CONDITIONS OF EMPLOYMENT ACT, 1997
SUMMARY TO BE KEPT BY AN EMPLOYER IN TERMS OF SECTION 30

Table with multiple columns containing sections of the Basic Conditions of Employment Act, 1997, including: APPLICATION OF THE ACT, LEAVE, REMUNERATION, INFORMATION ABOUT REMUNERATION, VARIATION OF BASIC CONDITIONS, APPLICATION OF THE ACT, REMUNERATION, VARIATION OF BASIC CONDITIONS, and PUBLIC HOLIDAYS.

OCCUPATIONAL HEALTH AND SAFETY ACT

This is a summary of the Occupational Health and Safety Act [Act 85 of 1993] and is intended to create a greater awareness of the duties and responsibilities of both employer's and employee's in the workplace.

employees performing work at a workplace other than that where they ordinarily report for duty, shall be deemed to be working at the workplace where they so report for duty.
(6) If an inspector is of the opinion that the number of health and safety representatives for any workplace or section thereof, including a workplace or section with 20 or fewer employees, is inadequate, he may by notice in writing direct the employer to designate such number of employees as the inspector may determine as health and safety representatives for that workplace or section thereof in accordance with the arrangements and health and safety representatives that will be performed during ordinary working hours, and any time reasonably spent by any employee in this regard shall for all purposes be deemed to be time spent by him in the carrying out of his duties as an employee.

- 18. FUNCTIONS OF HEALTH AND SAFETY REPRESENTATIVES
(1) A health and safety representative may perform the following functions in respect of the workplace or section of the workplace for which he has been designated, namely:
(a) review the effectiveness of health and safety measures;
(b) identify potential hazards and potential major incidents at the workplace;
(c) in collaboration with his employer, examine the causes of incidents at the workplace;
(d) investigate complaints by any employee relating to that employee's health or safety at work;
(e) make representations to the employer or a health and safety committee or matters arising from paragraphs (a), (b), (c) or (d), or where such representations are unsuccessful, to an inspector;
(f) make representations to the employer on general matters affecting the health or safety of the employees at the workplace;
(g) inspect the workplace, including any article, substance, plant, machinery or health and safety equipment at that workplace with a view to, the health and safety of employees, at such intervals as may be agreed upon with the employer;
(h) participate in consultations with inspectors at the workplace and accompany inspectors on inspections of the workplace;
(i) receive information from inspectors as contemplated in section 36; and
(j) in his capacity as a health and safety representative attend meetings of the health and safety committee of which he is a member, in connection with any of the above functions.
(2) A health and safety representative shall, in respect of the workplace or section of the workplace for which he has been designated be entitled to:
(a) visit the site of an incident at all reasonable times and attend any inspection in loco;
(b) attend any investigation or formal inquiry held in terms of this Act;
(c) in so far as it is reasonably necessary for performing his functions, inspect any document which the employer is required to keep in terms of this Act;

Any medical practitioner who examines or treats a person for an injury in the course of his duties as an inspector, shall be deemed to be acting in the course of his duties as an inspector.
(1) No employer shall dismiss an employee, or reduce the rate of remuneration to terms or conditions less favourable to him, or transfer an employee to another workplace, by reason of the fact, or believe it justified or correct, that that employee has in terms of this Act been designated as a health and safety representative for a workplace or section thereof, or has done anything which he may or is prohibited from doing in terms of this Act.
(2) No employer shall unfairly dismiss an employee, or reduce the rate of remuneration to terms or conditions less favourable to him, or transfer an employee to another workplace, by reason of the fact, or believe it justified or correct, that that employee has in terms of this Act been designated as a health and safety representative for a workplace or section thereof, or has done anything which he may or is prohibited from doing in terms of this Act.

27. DESIGNATION AND FUNCTIONS OF OFFICERS
(1) The Minister shall designate an officer serving in the Department of Labour as an officer in terms of this Act.
(2) The officer designated in terms of subsection (1) shall perform the functions assigned to him by the Minister and may perform any function subject to an order of the Minister.
(3) The officer designated in terms of subsection (1) shall perform the functions assigned to him by the Minister and may perform any function subject to an order of the Minister.





# Meinungen

Impressionen aus Afrika



Meeting chat

the transport sector in commodity supply chains  
Tue/After: 13:00 - 14:00  
Friday 24th of February 2023  
Pia/Location: MS Teams and VCS 3022

**Abstract:**  
German and European Governments try to secure the supply of raw materials to Europe and try to set up sustainable supply chains at the same time. This qualitative research investigates the stakeholders of the platinum supply chain from South Africa and the copper supply chain from Chile to Europe. The paper categorises the influence of the different stakeholders on a sustainable commodity transport chain. A SWOT Analysis shows that Germany has some potential to set guidelines for international transport chains, but has limited influence on local transport chains.

12:56 pm Meeting support

Type a new message

14:29 pm  
26 Feb 2023

## The German Supply Chain Act

### Lieferkettensorgfaltspflichten gesetz

**HTW** HOCHSCHULE FÜR TECHNISCHE WIRTSCHAFTSINFORMATIK  
UNIVERSITY OF APPLIED SCIENCES



•The Act on Corporate Due Diligence Obligations in Supply Chains (Lieferkettensorgfaltspflichten gesetz, LkSG) places enterprises that have their central administration, principal place of business, administrative headquarters, statutory seat or branch office in Germany under the obligation to respect human rights by implementing defined due diligence obligations.

•The core elements of the due diligence obligations include the establishment of a risk management system to identify, prevent or minimise the risks of human rights violations and damage to the environment. The Act sets out the necessary preventive and remedial measures, makes complaint procedures mandatory and requires regular reports.

Meeting chat

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# Chinesische Investitionen für ein Sportstadion





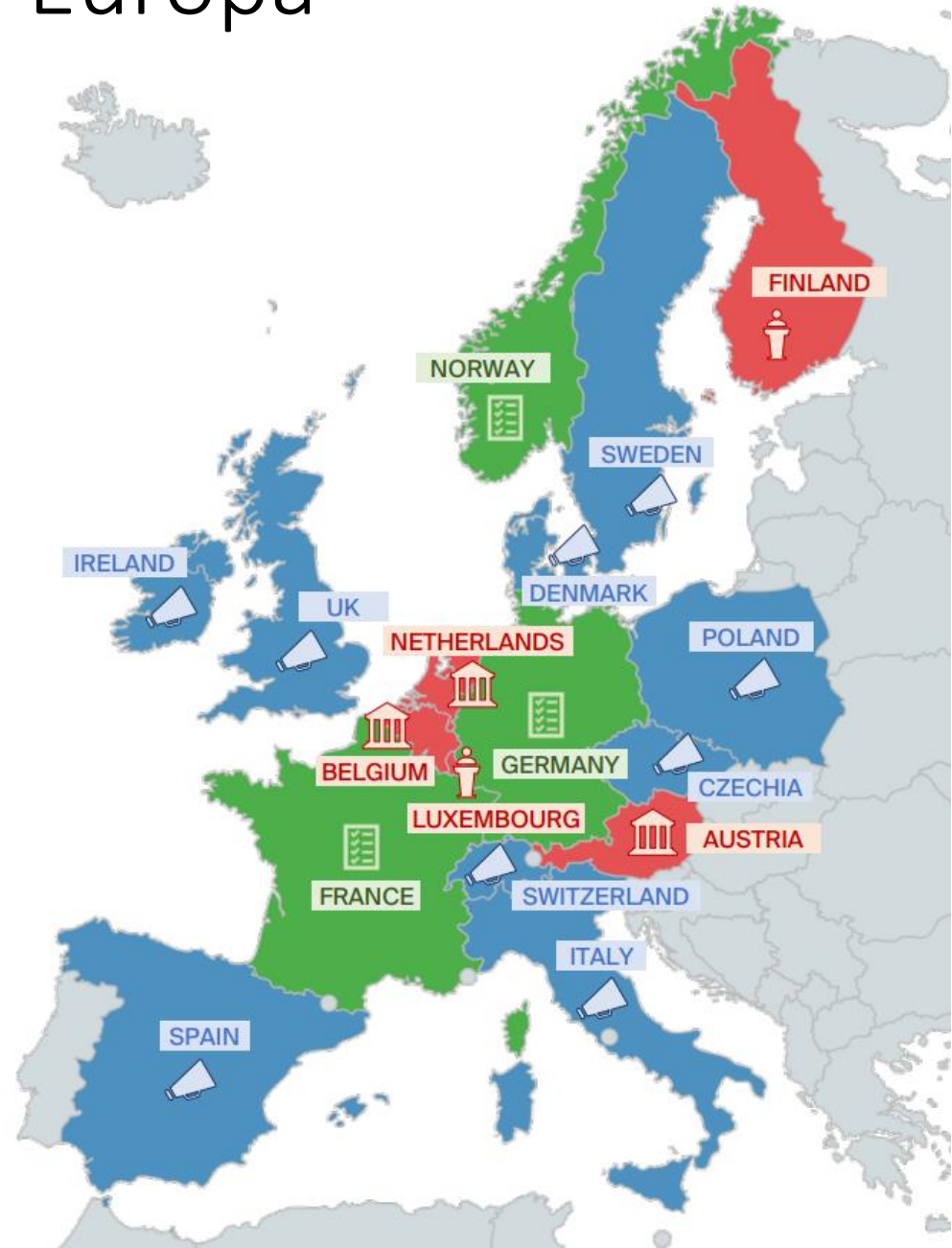
# Und die anderen in Europa?

Übersicht zu Aktivitäten in Europa

# Gesetze in Europa

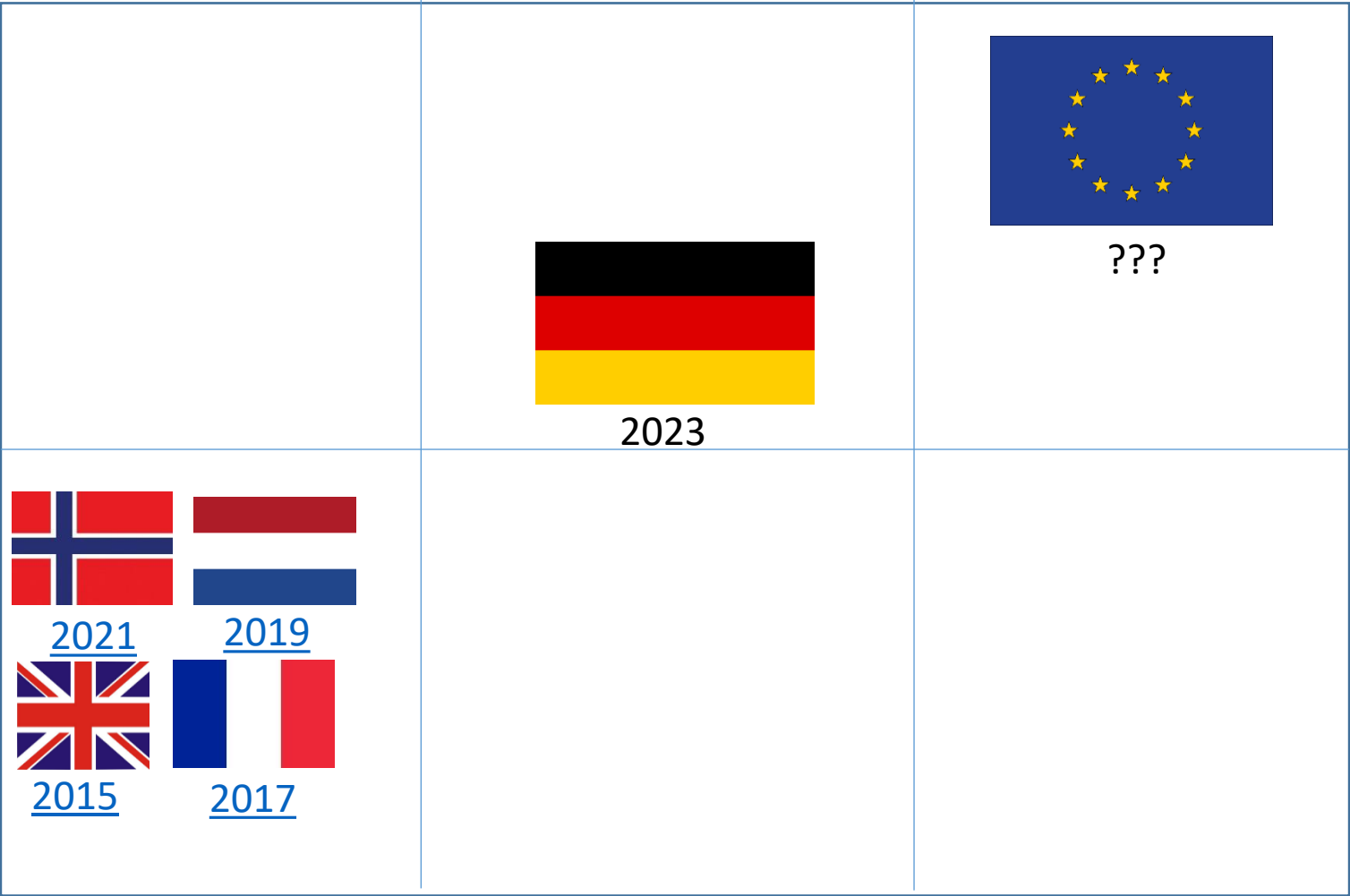


<b>FRANCE</b>	Law on the duty of vigilance of parent and outsourcing companies
<b>GERMANY</b>	Law on the corporate duty of care in supply chains
<b>NORWAY</b>	Law on business transparency and human rights and decent working conditions
<b>AUSTRIA</b>	Parliamentary proposal for a supply chain law
<b>BELGIUM</b>	Parliamentary proposal on the corporate duty of vigilance and care in value chains
<b>FINLAND</b>	Government commitment to due diligence legislation
<b>LUXEMBOURG</b>	Government commitment to due diligence legislation
<b>NETHERLANDS</b>	Government commitment to due diligence legislation Parliamentary proposal on responsible and sustainable international business conduct



# Umfänge von nationalen Gesetzen

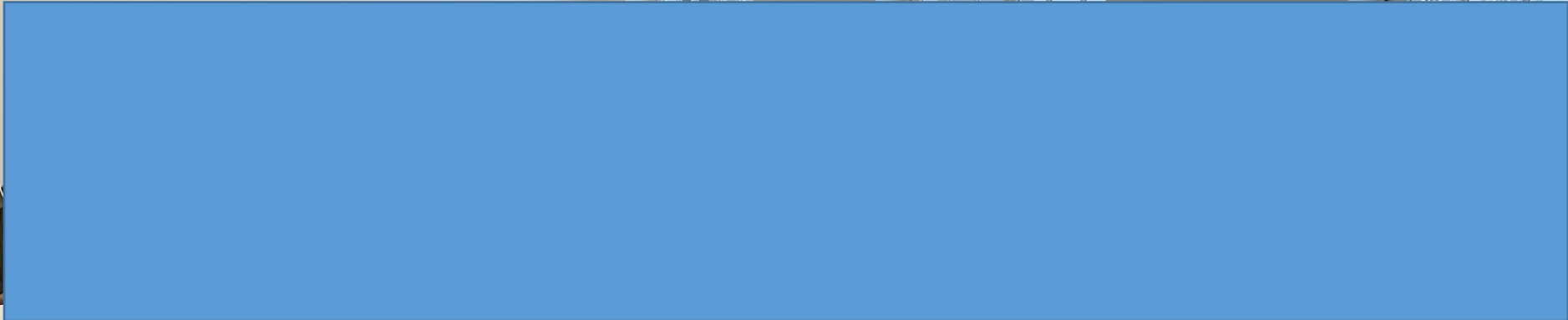
Menschenrechte (Umfang, Konkretisierung)



Umwelt, Klima, Biodiversität

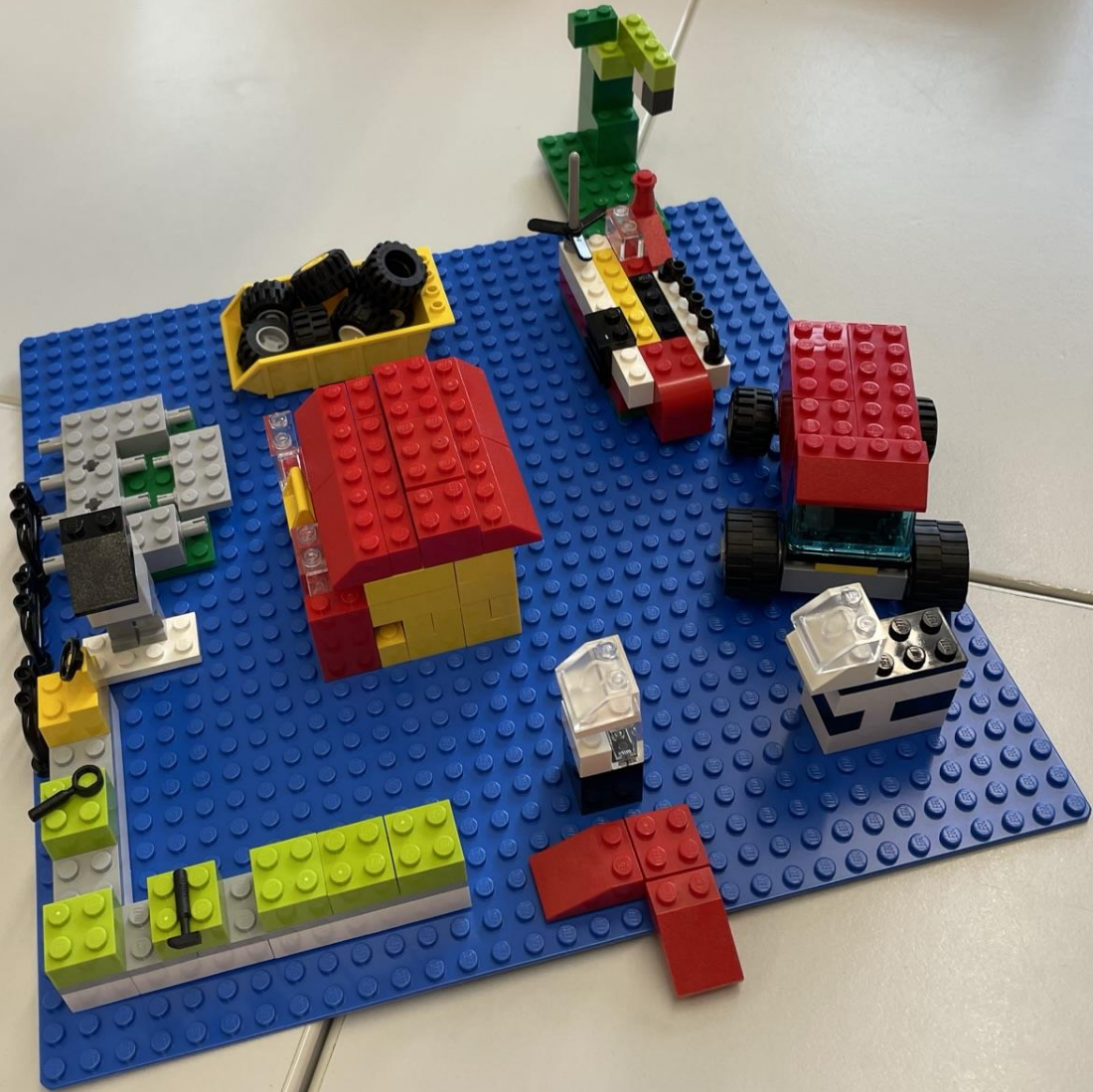
# Eigene Verständnis

Lego-Serious Play mit Masterstudenten



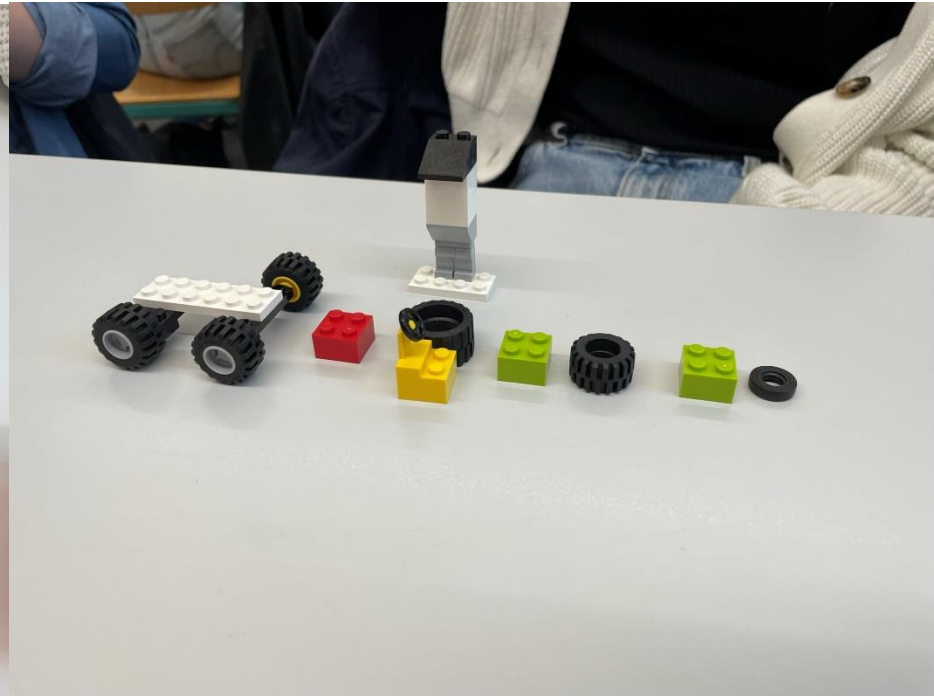
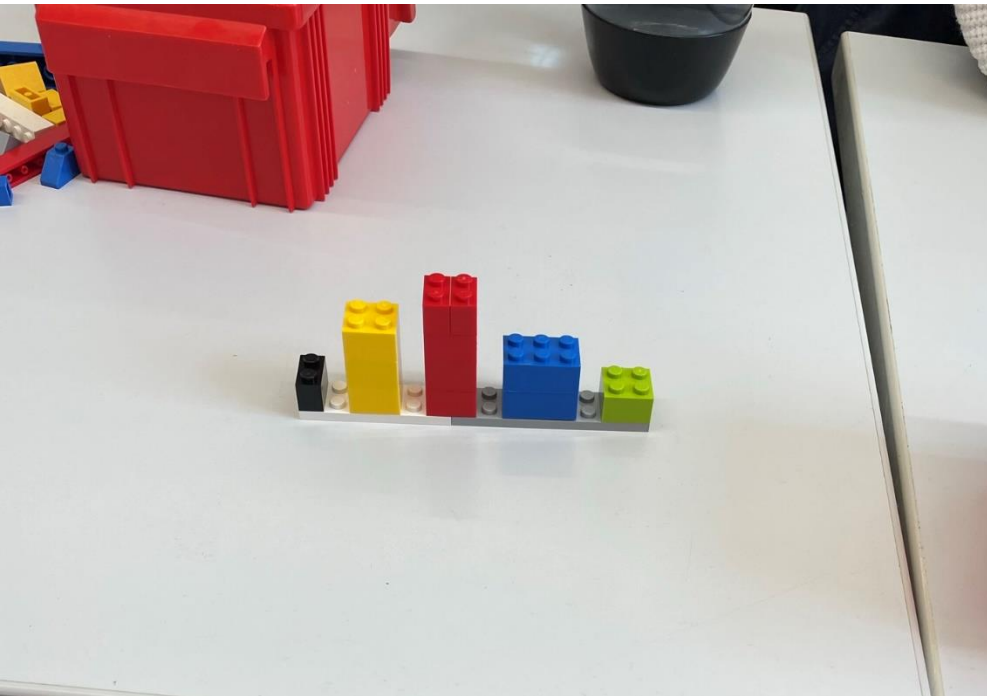
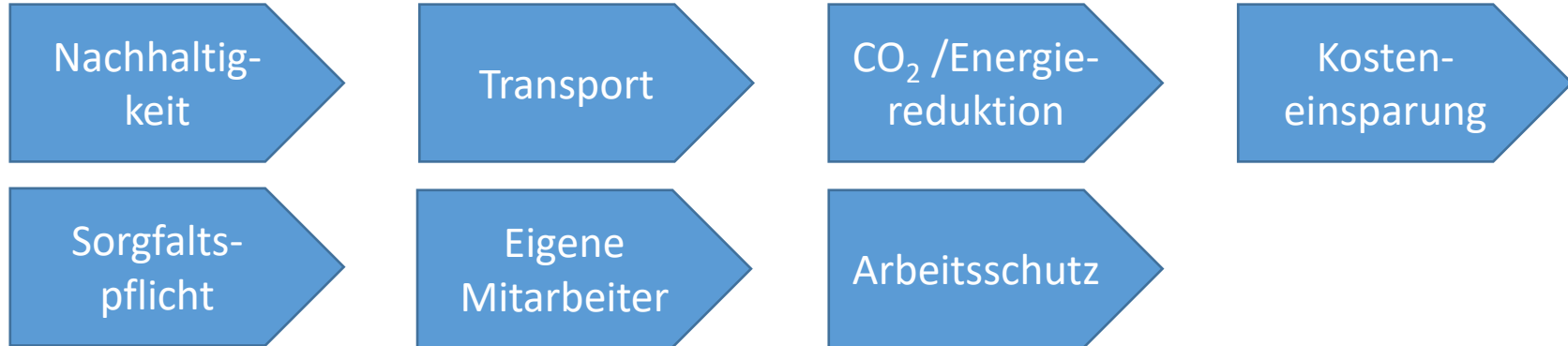






# Führungs- und Gewinnorientierung

Ableitung aus den Beobachtungen

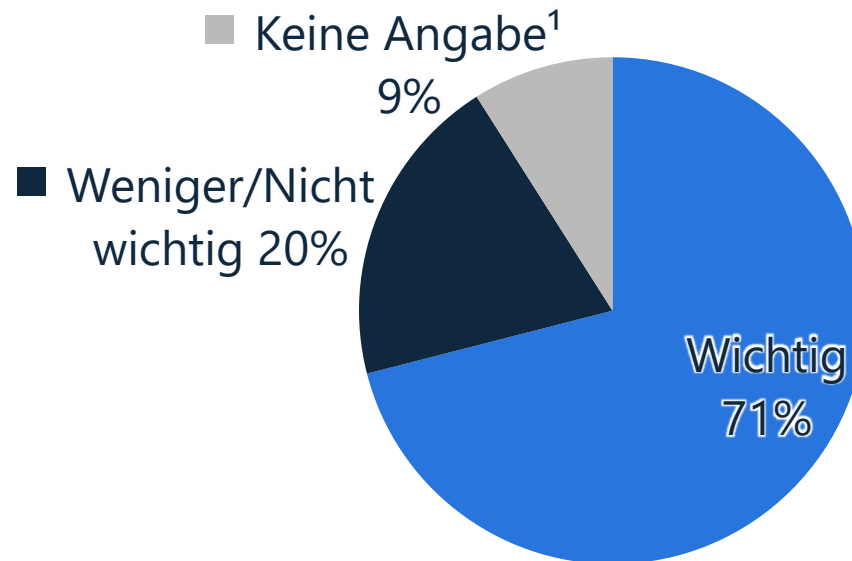


# Umfragen

Akzeptanz, Umsetzung, Kosten

# Wie wichtig ist es Ihnen, dass für die Herstellung eines Produktes die Sorgfaltspflicht zum Schutz von Menschenrechten und von Umweltstandards eingehalten werden?

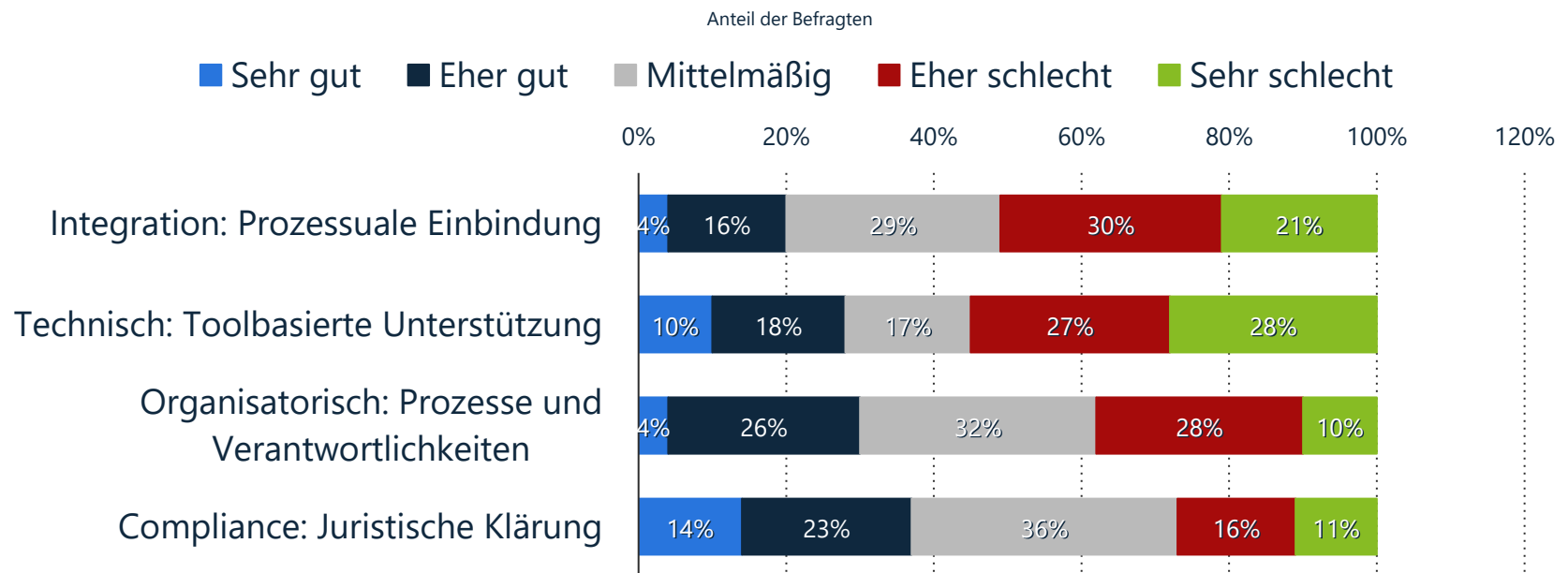
Zustimmung der Bevölkerung zum Lieferkettensorgfaltspflichtgesetz in Deutschland



**Hinweis(e):** Deutschland; 14. bis 17. Oktober 2022; ab 18 Jahre; n = 2.026  
Weitere Angaben zu dieser Statistik, sowie Erläuterungen zu Fußnoten, sind auf [Seite 8](#) zu finden.  
**Quelle(n):** BearingPoint; YouGov; [ID 1364829](#)

# Wie fühlen Sie sich Stand heute in Ihrer Organisation für die Anforderungen des Lieferkettengesetzes in den folgenden Bereichen aufgestellt?

Stand der Vorbereitung in Unternehmen zur Umsetzung des LkSG<sup>1</sup>



**Hinweis(e):** Deutschland; September bis November 2022; 242 Mitgliedsunternehmen des BME  
Weitere Angaben zu dieser Statistik, sowie Erläuterungen zu Fußnoten, sind auf Seite 8 zu finden.  
**Quelle(n):** IntegrityNext; BME; ID 1364345

# Verfahren auf Basis des französischen Gesetzes

Es gibt derzeit (Stand November 2021) fünf Verfahren vor Gericht und zwei Mahnungen.

1. Total / Ölpipeline in **Uganda**: Mahnung 24/6/2019 – Klage 23/10/2019
2. Total / Klimawandel: Mahnung 19/6/2019 – Klage 28/1/2020
3. EDF / Windpark in **Mexiko**: Mahnung 3/10/2019 – Klage 13/10/2020
4. Casino / Rindfleisch in **Amazonien**: Mahnung 21/9/2020 – Klage 3/3/2021
5. Suez / Wasservergiftung in **Chile**: Mahnung 9/7/2020 – Klage 7/6/2021
6. Teleperformance / Call Centers in **Kolumbien**: Mahnung 18/7/2019 (UNI Global Union)
7. XPO Logistics / Arbeitsbedingungen in Sub-unternehmen: Mahnung 18/10/2020 (Gewerkschaften)

# Ökonomische Auswirkung

**Fazit:** Ein deutsches Lieferkettengesetz würde die **Kosten pro Lieferbeziehung** von deutschen Unternehmen **verteuern**, wenn jeder Zulieferer regelmäßig im Hinblick auf menschenrechtliche sowie umweltbezogene Risiken analysiert werden muss. Es ist damit zu rechnen, dass Unternehmen **die Anzahl ihrer Zulieferer entsprechend reduzieren**. Dies trifft besonders Entwicklungsländer, in denen die Einhaltung von Menschenrechten und Umweltstandards verhältnismäßig schwer zu überwachen ist. Entsprechend werden Lieferketten entweder zurück nach Europa verlagert, oder es kommt zu einer **Monopolisierung von Zulieferern in Entwicklungsländern**. So oder so steigen die Produktionskosten deutscher Unternehmen, was sich in **höheren Preisen für Konsumenten** und einer **geringeren Wettbewerbsfähigkeit** widerspiegeln wird. Die Wahrscheinlichkeit von Lieferengpässen aufgrund von **idiosynkratisch auftretenden Schocks** nimmt zu, was die Resilienz der deutschen Wirtschaft insgesamt schwächt.

Studie im Auftrag von Gesamtmetall e.V.

**Ökonomische Bewertung  
eines Lieferkettengesetzes**

Endbericht



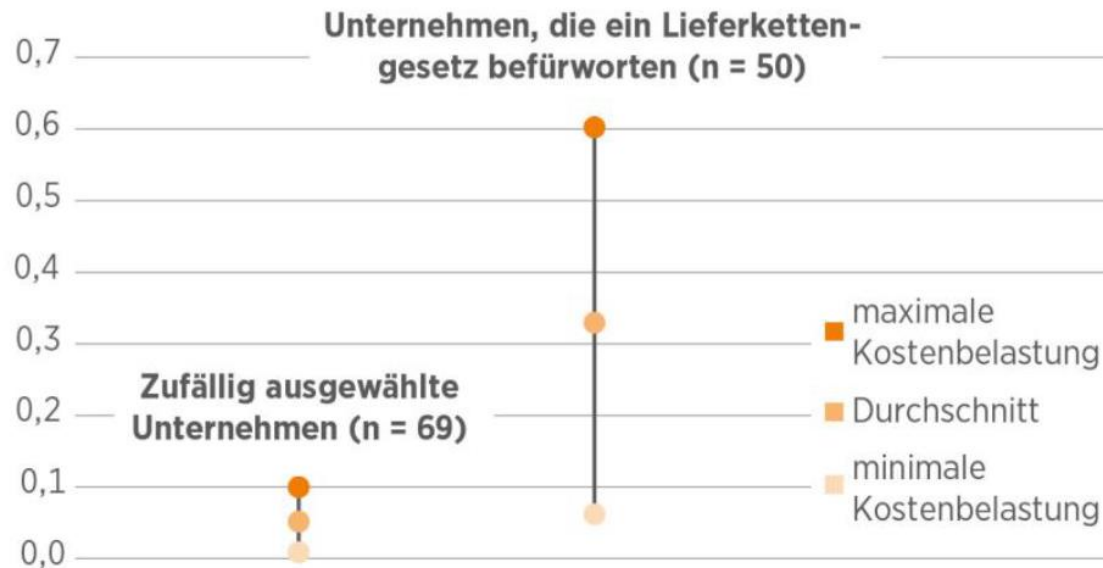
2021



# Ökonomische Auswirkung

**Abb. 7: Verwaltungskostenquote für die Einhaltung von Sorgfaltspflichten entlang der Lieferkette in Deutschland\***

Anteil am Jahresumsatz\*\*, in %



\* Nur Unternehmen, die angeben, dass sie Erfahrung mit einem Lieferkettenmanagement gemäß den Vorgaben des „Global Compact“ der Vereinten Nationen haben.

\*\* Schätzung auf Basis der Medianwerte (nur Kostenangaben größer Null).

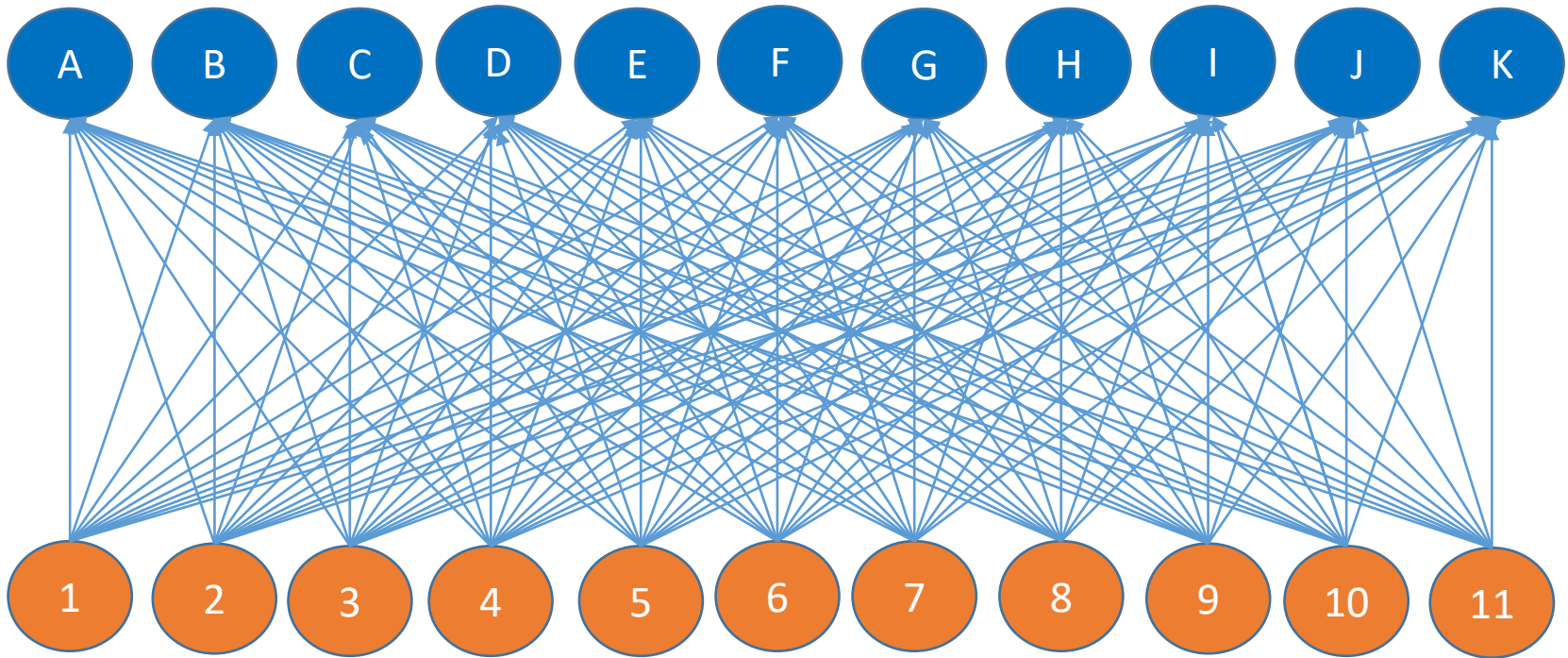
Quelle: Handelsblatt Research Institute

# Was nun?

Synergien nutzen

# Komplexitätsreduzierung

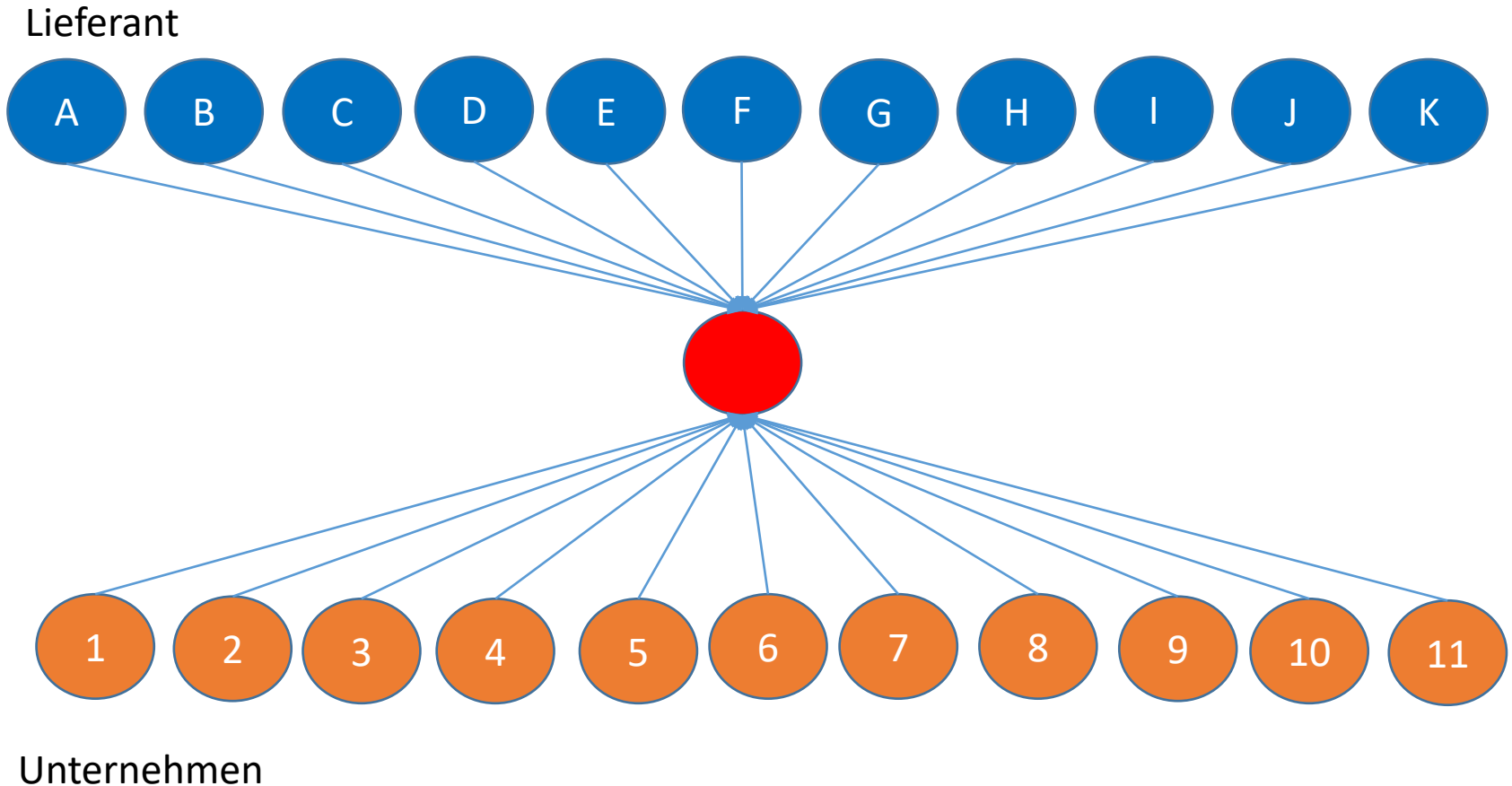
Lieferant

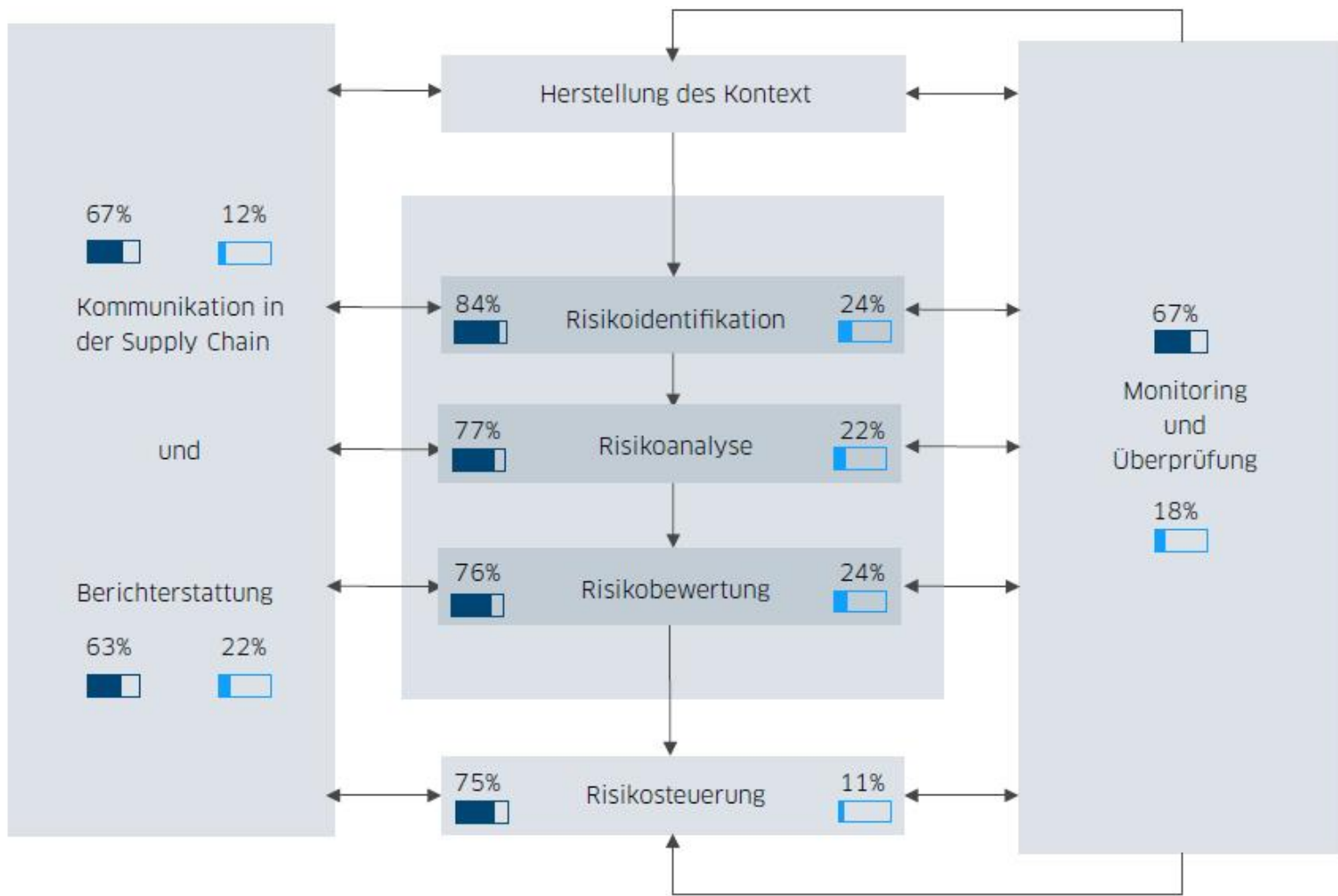


Unternehmen

121

# Komplexitätsreduzierung



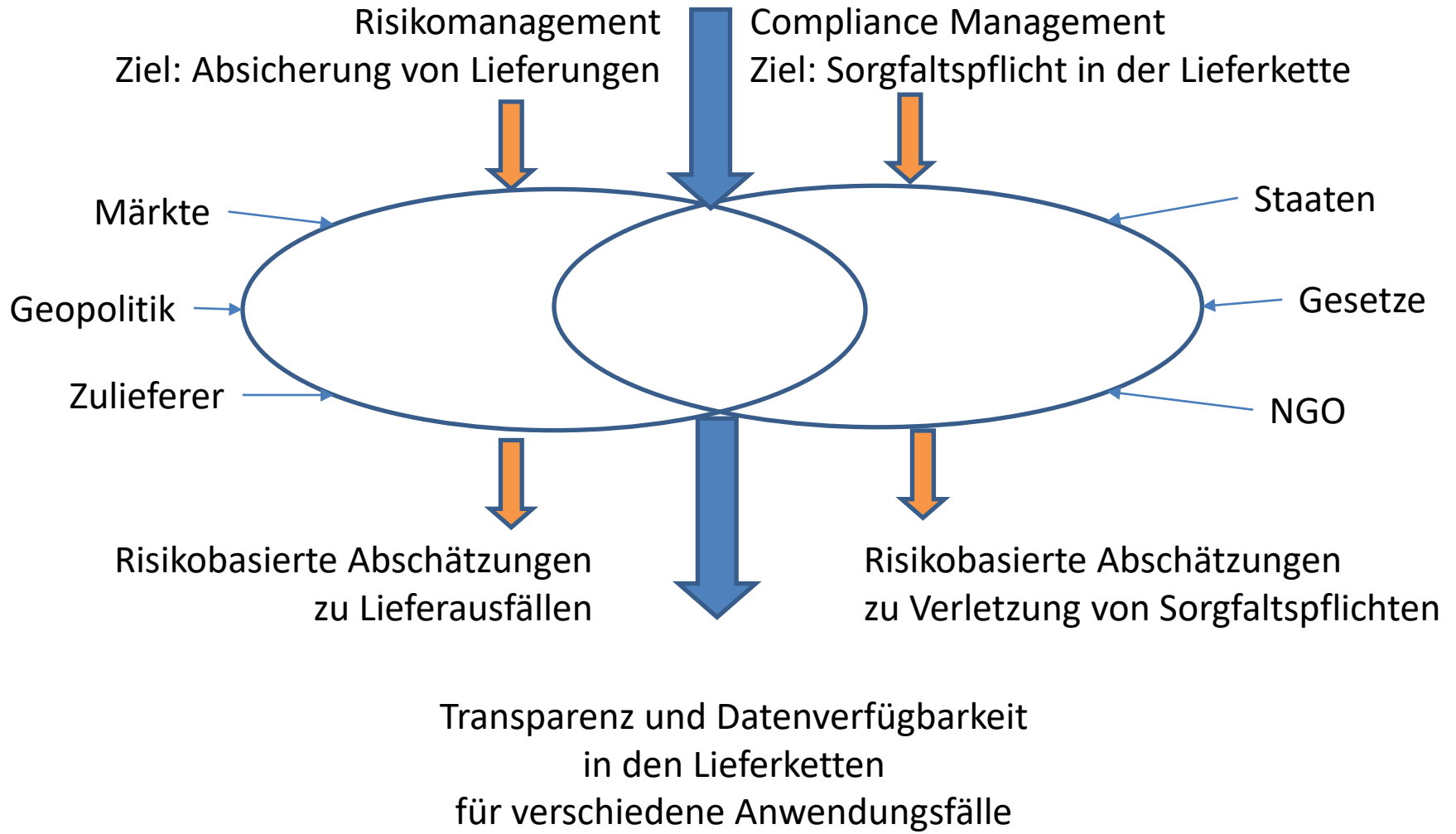


X% Abdeckungsgrad im Unternehmen durch einen SCRM-Prozess

X% Anteil Unterstützung des Prozessschritts mit Hilfe eines Systems (Software/Tools)




Miebach Studie 2023  
 Krisengewinner Supply Chain Risk Management im Aufwind

# Integratives Risikomanagement



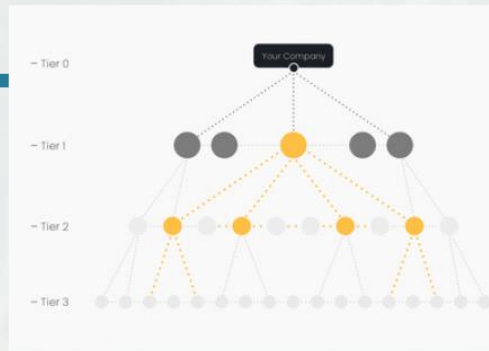
# Softwareanbieter

- SAP Ariba Supplier Risk
- ecovadis
- prewave
- sustainable

			
Allgemeine Informationen			
<b>Beschreibung des Tools</b>	Plattform und Methodik, um soziale, ökologische und ethische Aspekte zu bewerten, verantwortungsvolle Beschaffungsentscheidungen zu unterstützen und somit die Nachhaltigkeitsleistung zu verbessern	Plattform, die Lieferanten in sozialen Medien überwacht, Risiken findet sowie kategorisiert und spezifische Warnmeldungen an die Kunden sendet	Cloud Plattform für End2End ESG-Risikomanagement der gesamten Lieferkette, Transparenz entlang der Lieferkette mit minimalem Aufwand, um alle Sorgfaltspflichten zu erfüllen
<b>Zugrunde liegende Technik</b>	KI Sustainability Data Mining (SDM)	Künstliche Intelligenz, SaaS-Lösung	Cloud-Computing, Künstliche Intelligenz
<b>Datengrundlage und -quellen</b>	Nachhaltigkeitsberichte, Zertifikate, von Dritten durchgeführte Standort-Audits und Partnerschaften, ca. 100.000 erfasste Lieferanten	Nachrichten, Social Media Daten und öffentlich zugängliche Datenbanken, 622.110 erfasste Lieferanten	statistische Daten, Datenbanken, Selbstauskünfte, aktuell 80.000 erfasste Lieferanten
<b>Preis</b>	Individuell auf Anfrage, abhängig von der Unternehmensgröße	Kalkulation nach Anzahl der Lieferanten mit Skaleneffekt ab 500 Lieferanten	Individuell auf Anfrage, für Lieferanten ist die Nutzung kostenfrei

Martin, Bunge, Kolb (2023): Poster IT-Angebote – Ein Vergleich von IT-Tools für das LKSG

# TIER-N TRANSPARENCY

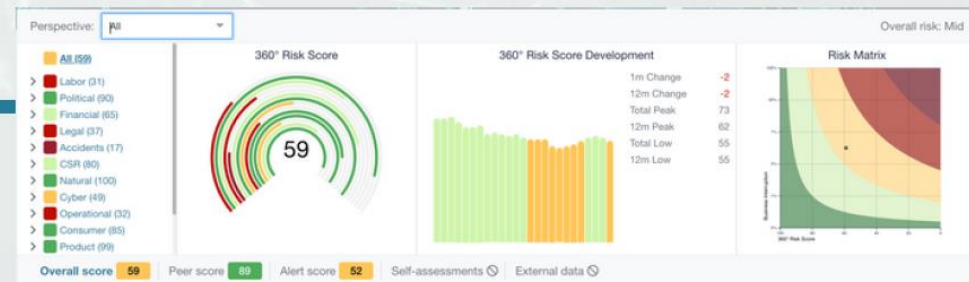


Prewave collects data from multiple sources:

- **Your Data:** Private Supply Chain Data provided by you.
- **Prewave Data:** Supply Chain Mapping by Prewave (based on public data, NGO cooperation, etc.)
- **Your Suppliers Data:** Tier-N Suppliers share supply chain data they uploaded to Prewave

Map your entire supply chain with Prewave Tier-N monitoring. We invite your suppliers to upload their supplier lists, so we can achieve full visibility along your entire supply chain. This service is free of charge for your suppliers and is keeping the effort on the supplier side as light as possible. Get started with true supply chain visibility with Prewave Tier-N monitoring.

# COMPLIANCE



Prewave offers a one-step compliance solution for international supply chain legislation, such as the German Supply Chain Act (Lieferkettengesetz).

You just need to provide us with a list of your suppliers and we take care of the mapping, categorising and analysis, which provides you real-time monitoring and reporting in line with the requirements of the law.

- Classification of the suppliers by degree of influence and determining a risk score for each supplier
- Reporting and Action management on the platform



19.06.2023

Dorint Hotel  
Grüner Str. 14  
01067 Dresden

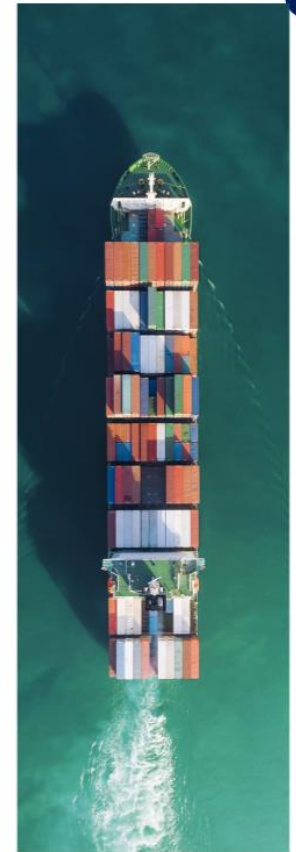
Ziele, Schwerpunkte, aber auch Herausforderungen bei der Umsetzung des Gesetzes werden durch den Präsidenten des Bundesamtes für Wirtschaft und Ausfuhrkontrolle, BAFA, Herrn Torsten Safarik, erläutert. Herr Prof. Dr. Ingo Gestring (HTW Dresden) wird zu praktischen Problemen in der Umsetzung, auch auf internationaler Ebene, sprechen.



## Das neue Lieferkettensorgfaltsgesetz und seine Auswirkungen auf sächsische Unternehmen +

Studentische Posterausarbeitung des Masterstudiengangs:  
Management Mittelständischer Unternehmen

Modul - Steuerung der Wertschöpfungskette, Hr. Prof. Dr. Gestring  



ingo.gestring@htw-dresden.de



Hochschule für Technik und  
Wirtschaft Dresden  
University of Applied Sciences

Danke

Prof. Dr.-Ing. Ingo Gestring