



||| NOERR

Supply Chain Compliance @ Noerr

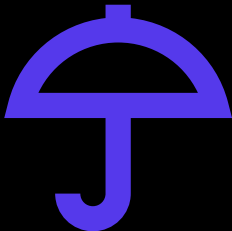
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Our approach



360° advice



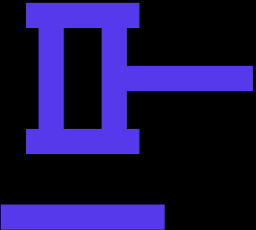
Prevention

We support you in setting up appropriate and effective supply chain compliance structures.



Reaction

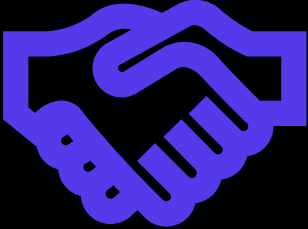
If a breach occurs in your company or supply chains, we investigate it, support you in remedying it and represent you before authorities as necessary.



Litigation

We defend you against any claims for damages and support you in protecting and recovering assets.

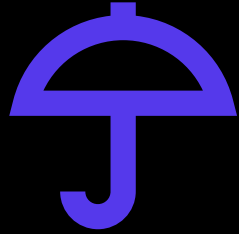
Well-established interdisciplinary team of experts



Team

Our well-established interdisciplinary team of recognised **experts** covers all relevant legal topics and facets of compliance in regard to supply chains.

Full service



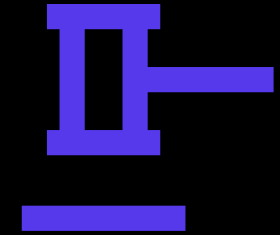
Prevention

- Risk assessment and management
- Documentation
- Whistle-blower system
- Preventive and remedial measures
- Governance
- Reporting lines
- Reporting



Reaction

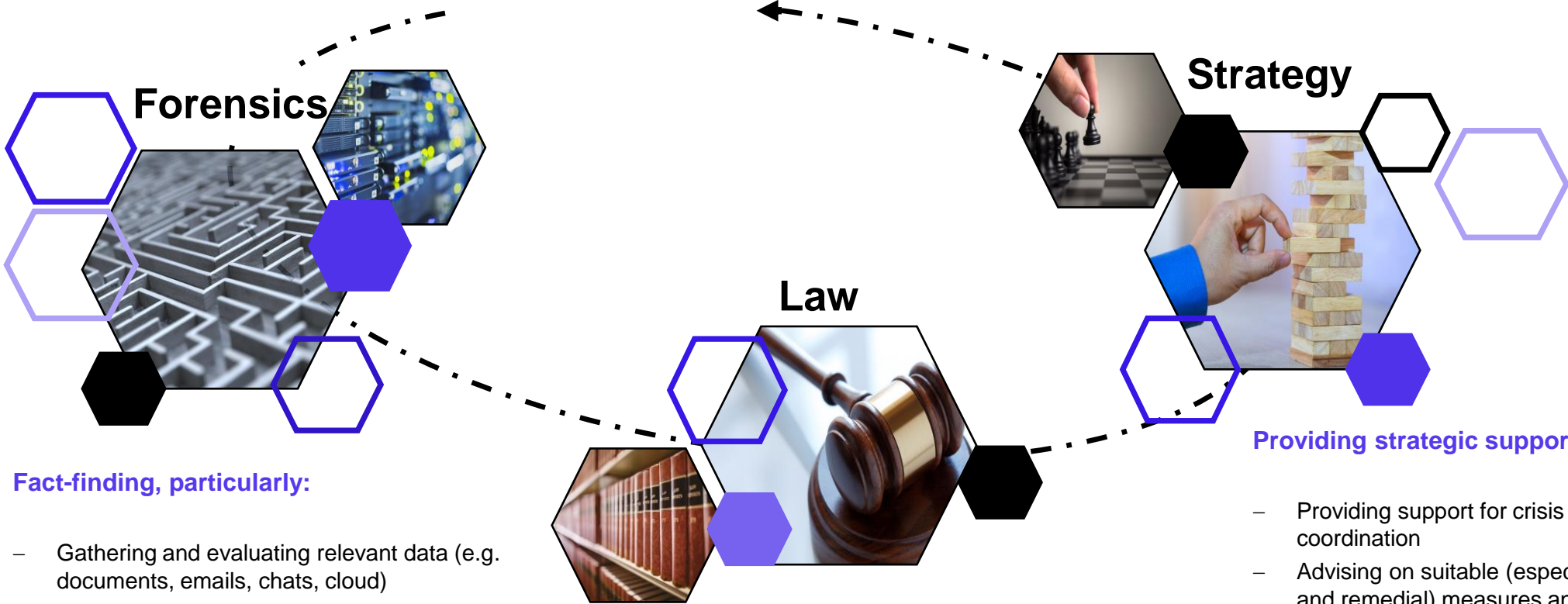
- Support in investigating reports of possible risks in your company and at suppliers
- Support in remedial measures in your company or at suppliers (“corrective action plans”)
- Support in crisis communication and communicating with committees
- Insurance cover



Litigation

- Defending against official penalties such as fines or asset forfeiture
- Defending against legal complaints lodged by e.g. suppliers or NGOs
- Defending before prosecution and administrative authorities
- Board liability and D&O

Focus: advising on incidents related supply chains



Fact-finding, particularly:

- Gathering and evaluating relevant data (e.g. documents, emails, chats, cloud)
- Where appropriate, using artificial intelligence to efficiently analyse large amounts of data
- Conducting interviews
- Investigating on-site

Advising on legal issues, particularly:

- Data protection law, e.g. data processing
- Labour law, e.g. involving the works council
- Continuously checking for any duties of public disclosure
- Assessing the situation according to local law and bringing in international “best friend” law firms (Lex-Mundi) where necessary

Providing strategic support, particularly:

- Providing support for crisis management and coordination
- Advising on suitable (especially preventive and remedial) measures and providing support in implementing them
- Representing before supervisory authorities
- Supporting in communication to committees
- Supporting in crisis communication to stakeholders
- Coordinating with other service providers such as social audit advisors or PR agencies

Legal Tech

Complying with legal requirements effectively, digitally and transparently – with Noerr's supply chain toolkit



The supply chain toolkit enables our experts to work transparently with you



Analyse your procurement and company structures using our data analytics



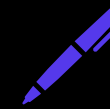
Talk to us about your specific needs. The supply chain toolkit makes it happen!



Have access at any time to all relevant data, documents and information



Effectively organise milestones, meetings, tasks and deadlines with us



Document all work transparently

Selected projects and publications



Selected projects from our Supply Chain Act advisory practice (1/2)

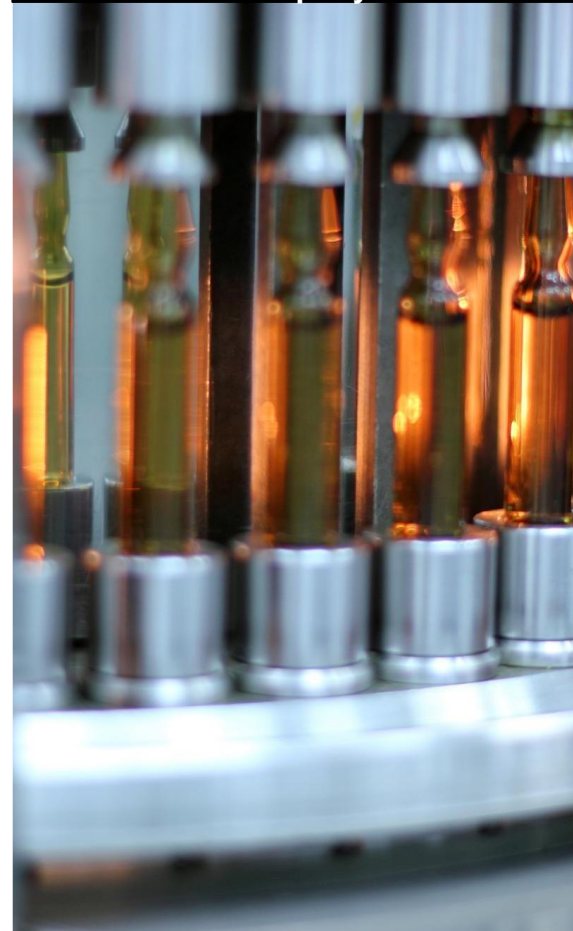
International automotive supplier



Providing the automotive supplier with wide-ranging legal advice on issues relating to the Supply Chain Act, in particular:

- Implementing measures required by the Supply Chain Act in connection with established processes
- Advising on roll-outs to first and second-tier subsidiaries in Germany and abroad
- Providing support for risk analysis, for example in identifying human rights and environment-related risks through the preparation of questionnaires
- Assisting in setting up risk management, especially as regards organisation and reporting issues
- Advising on complaints procedures and complaint management

International pharmaceutical company



Providing the pharmaceutical supplier with wide-ranging legal advice on issues relating to the Supply Chain Act, in particular:

- Implementing measures required by the Supply Chain Act in connection with established processes of the German parent company
- Determining the scope of the company's own business operations within the corporate group
- Providing support for risk analysis, for example by developing the corporate and procurement structure and risk inventory
- Assisting in setting up risk management, in particular as regards organisation and reporting issues
- Advising on complaints procedures and complaint management

Selected projects from our Supply Chain Act advisory practice (2/2)

Global fashion company



Providing the fashion company with wide-ranging legal advice on issues relating to the Supply Chain Act, in particular:

- Providing support for risk analysis, for example in connection with setting up a supplier database and defining testing processes
- Conducting extensive workshops
- Advising on how to handle press coverage and NGO reports on direct and indirect suppliers
- Preparing a policy statement
- Assisting in the preparation of the compliance report required under the Supply Chain Act
- Advising on queries from the German Federal Office for Economic Affairs and Export Control

Global retailer



Providing the retailer with wide-ranging legal advice on issues relating to the Supply Chain Act, in particular:

- Determining the extent to which Supply Chain Act obligations apply to different companies within a decentralised corporate group
- Determining the scope of the company's own business operations
- Assisting in setting up risk management, in particular as regards organisation and reporting issues
- Advising during investigations by the German Federal Office for Economic Affairs and Export Control

Publications, lectures and podcasts (German)



Podcast



LkSG-HandsOn Folge 5:
Dokumentation

19.07.2023



Podcast



LkSG-HandsOn Folge 4:
Arbeitsrecht und
Mitbestimmung

31.05.2023



Podcast



LkSG-HandsOn Folge 3:
Beschwerdeverfahren

13.04.2023



Podcast



LkSG-HandsOn Folge 2:
Zuständige Stelle

21.03.2023



Podcast



LkSG-HandsOn Folge 1:
Wie starte ich?

03.03.2023



News

Europäisches Lieferkettengesetz
(CSDDD) auf der Zielgeraden

15.12.2023



News

LkSG-Update: BAFA ermittelt wegen
möglicher Verstöße gegen das LkSG

20.10.2023



News

LkSG-Update: BAFA Handreichung zur
Angemessenheit und weitere Informa-
tionen zur Wirksamkeit

19.01.2023



Löning Human Rights & Responsible Business

Sorgfaltspflichten in der Lieferkette

Ausblick und praktische Fragen

20. September 17-20 Uhr (CET) Noerr, Jungfernstieg 51, 20354 Hamburg

Speakers: Dr. Inga Theusinger, Markus Löning, Jurgeline Thammann, Ralf Dörner, Thomas Gudeken, Karolin Fitzer

DE | Ist Due Dilligence die neue Lizenz zum Handeln?

Karolin Fitzer, Dr. Philipp Gergen

PSI Forum, Halle 10

12:30 - 13:00

Zu meinem Plan hinzufügen

Compliance Berater

9 / 2022

Redaktion: Dr. Malte Passarge

AUFSÄTZE

- Wettbewerbsvorteile für „mittelbar Verpflichtete“ durch initiale Umsetzung | 321
- Know your risks: Risiken managen und analysieren nach dem LkSG | 327
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RECHTSPRECHUNG

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Core team



Core team (1/5)



Ingo Theusinger
Lawyer (*Rechtsanwalt*)

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Ingo Theusinger is a partner based in Noerr's Düsseldorf office, who advises on corporate governance issues and all aspects of corporate law, especially stock corporation law. He also has extensive experience in advising companies on preventing and reacting to compliance violations. Ingo has advised companies in particular on the introduction and improvement of compliance management systems. He is a co-editor and co-author of the *Schall/Theusinger/Rafsendjani* commentary on the Supply Chain Act.

Expertise

- Corporate
- Capital markets
- Compliance

Distinctions

- *Handelsblatt / Best Lawyers*: listed under "Germany's Best Lawyers 2021" as one of six lawyers for "Corporate Governance and Compliance Practice"
- Recommended as a leading expert in "Corporate Governance & Compliance Practice", *Best Lawyers* (since 2020)

Core team (2/5)



Mansur Pour Rafsendjani

Lawyer (*Rechtsanwalt*)

Partner

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Mansur Pour Rafsendjani is a partner at our firm with many years of international experience. Mansur's practice focuses on drafting international commercial agreements and civil law contracts and representing clients in the areas of trade and distribution law, leasing and logistics. As a member of Noerr's Digital Business practice group, he is strongly involved in issues relating to the digitalisation of supply chains. His special expertise also includes advising on supply chain compliance. Mansur has advised on commercial and civil law issues in numerous transactions (commercial due diligence). He is a speaker and author on numerous topics of international trade, distribution law and logistics as well as a co-editor and co-author of the *Schall/Theusinger/Rafsendjani* commentary on the Supply Chain Act.

Expertise

- International trade and distribution law, distribution-related competition law
- Global purchasing contracts, supply chain compliance
- Leasing
- Commercial agency, commission agency, franchising and authorised dealerships
- Commercial litigation and arbitration
- Logistics, forwarding, warehousing, consignment warehousing, transport
- International trade, embargos and sanctions, export control

Distinctions

- *Handelsblatt*: Best Foreign Trade Lawyers (since 2021)
- *Who's Who Legal*: Recommended Franchise Lawyer (since 2019)

Core team (3/5)



Christian Pelz

Lawyer (*Rechtsanwalt*), certified specialist in criminal law, certified specialist in tax law

Partner

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Christian Pelz acts for companies and senior management in all areas of white-collar crime and criminal tax law, defending them in criminal investigations, administrative offence investigations or forfeiture and proceeds of crime proceedings before law enforcement authorities or courts and, in regulated industries, supervisory authorities as well.

Christian also advises companies on all aspects of preventing and responding to compliance violations. This covers introducing and developing compliance management systems, conducting compliance audits and handling internal investigations at a national and international level. Christian is a co-editor and co-author of the manual, Pelz/Krais, *Lieferketten in der Unternehmenspraxis*.

Expertise

- White-collar crime
- Criminal tax law
- Compliance
- Internal investigations
- International trade

Core team (4/5)



Karolin Fitzer

Lawyer (*Rechtsanwältin*)

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Karolin Fitzer is an associated partner based in Noerr's Frankfurt office. She advises national and international clients on all types of compliance matters and acts for companies in criminal investigations and administrative fine proceedings. Her expertise includes reviewing existing compliance structures, developing and implementing compliance programmes and drafting guidelines and work instructions. In the case of issues connected with HR compliance and the use of external personnel, Karolin concentrates on providing complete clarification of the facts and, if required, coordinates communications with the relevant authorities.

She also advises companies on implementing and reviewing human rights and environmental measures aimed at ensuring supply chain compliance. She is a co-author of the *Schall/Theusinger/Rafsendjani* commentary on the Supply Chain Act.

Expertise

- White-collar crime
- Compliance
- Internal investigations
- Corporate criminal law

Core team (5/5)



Philipp Gergen

Lawyer (*Rechtsanwalt*), certified specialist in banking and capital markets law,
Master of Administrative Sciences

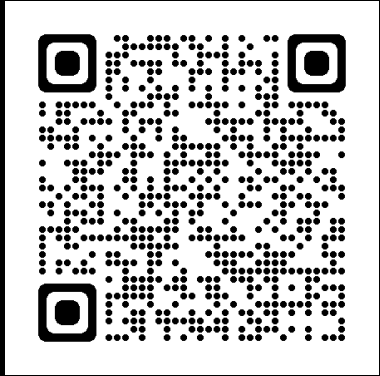
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Philipp is an associated partner in Noerr's Compliance & Internal Investigations practice group. He advises extensively in the compliance field, including in complex regulatory and internal investigations and on ESG-relevant issues, e.g. implementing human rights or environmental compliance measures. While working in the legal department of the German Agency for International Cooperation (GIZ), Philipp advised mainly on sustainability and digitalisation issues. He is a co-author of the *Schall/Theusinger/Rafsendjani* commentary on the Supply Chain Act and a part-time lecturer at Saarland University and Rhineland-Palatinate Technical University Kaiserslautern-Landau.

Career

- Working in-house for a federal agency in the field of international development cooperation and focussing his attention on sustainability and digitalisation
- Secondment to the legal department of a major international German bank
- Doctoral degree and working as a research assistant to Professor Michael Martinek, (former) Chair of the Department of Civil Law, Commercial and Business Law, Private International Law and Comparative Law at Saarland University
- Master of Laws in International Business Law (LL.M.), University of Exeter (UK)
- Master of Administrative Sciences (Mag. rer. publ.) at the German University of Administrative Sciences, Speyer
- Law degree at Saarland University



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