

# HUMAN RIGHTS POLICY

RIGHT TO LIFE, LIBERTY, PERSONAL SECURITY  
RIGHT TO LIFE, LIBERTY, PERSONAL SECURITY

# ASSESSING IMPACTS

FREEDOM FROM DISCRIMINATION  
RIGHT TO EQUALITY  
FREEDOM FROM SLAVERY  
FREEDOM FROM TORTURE, DEGRADING TREATMENT  
RIGHT TO RECOGNITION AS A PERSON BEFORE THE LAW  
RIGHT TO EQUALITY BEFORE THE LAW  
FREEDOM FROM ARBITRARY ARREST AND EXILE

# TRACKING PERFORMANCE

RIGHT TO EQUALITY BEFORE THE LAW  
FREEDOM FROM ARBITRARY ARREST AND EXILE  
RIGHT TO DISCRIMINABLE WORK AND TO JOIN TRADE UNIONS  
RIGHT TO EQUALITY BEFORE THE LAW  
FREEDOM FROM TORTURE, DEGRADING TREATMENT  
RIGHT TO RECOGNITION AS A PERSON BEFORE THE LAW  
AND EXILE

RIGHT TO REST AND LEISURE  
AND TO JOIN TRADE UNIONS

# INTEGRATION

SECURITY  
FREEDOM FROM SLAVERY  
RIGHT TO REMEDY BY COMPETENT TRIBUNAL  
RIGHT TO EQUALITY BEFORE THE LAW  
FREEDOM FROM ARBITRARY ARREST AND EXILE  
RIGHT TO REMEDY BY COMPETENT

# **The “State of Play” of Human Rights Due Diligence: Anticipating the Next Five Years**

Preview of the report to be launched in New York on 24 June 2010 at the leaders’ breakfast on human rights

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## **Content:**

- 1. The current state of human rights due diligence**
- 2. The 'end state' we can envisage for 5 years time**
- 3. The map of how to get there**

## **Methodology:**

Oct 2009 – call to UNGC Human Rights Working Group

Dec 2009 – 20 companies identified

Jan 2010 – individual interviews

Feb 2010 – roundtables in Copenhagen and Atlanta

## Key Findings - General:

1. Human rights due diligence is possible
2. Companies are at different stages of the integration process, none have yet fully integrated, none have reported fully on their human rights impacts
3. There are a number of interventions possible to expedite the breadth and depth of take up by business
4. The road ahead requires more engagement with national companies in emerging economies and SMEs world-wide.

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## Key Findings – Human Rights Policy:

1. Relatively few policies but numbers increasing
2. External pressure for stand-alone human rights policy
3. Best human rights policies are those integrated into other policies with an overarching policy statement
4. The essentials of a human rights policy statement:
  - All rights, all functions, all geographies
  - Reference to international standards
  - Recognises need to deal with dilemmas
  - Public commitment and clear accountability
  - Signposts other policies

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## Key Findings – Assessing risks and impacts:

- 1.No common methodologies yet exist
- 2.Much data for human rights country risk assessments is freely available but requires extensive time to compile
- 3.The decision to undertake a human rights impact assessment instead of an environmental or social impact assessment is highly contextual
- 4.“Predictive” versus “Resultant” impact assessment
- 5.Human rights due diligence assessments increasingly part of pre-contracting process: M&As, JVs, PPPs, HGAs, Preferred Suppliers etc

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## Key Findings - Integration:

1. Due diligence is both an art and a science
2. Lack of expertise is a limiting factor
3. The importance of a human rights lens for decision-making
4. The need for embedding but also champions within main functions
5. Powerful incentives and disincentives required

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DESIRABLE WORK

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FREEDOM FROM SLAVERY

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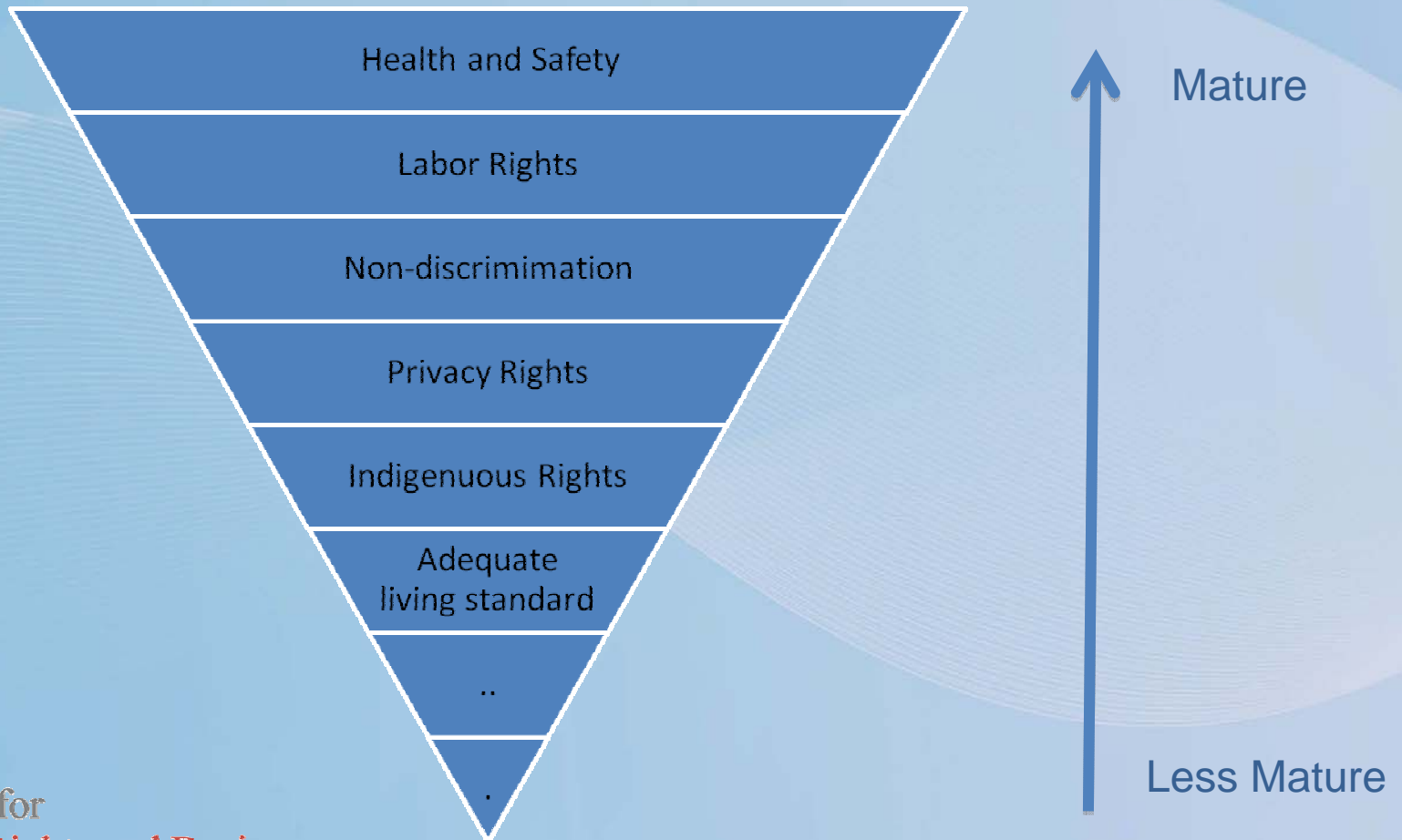
## Key Findings – Tracking Performance:

1. Human rights are often not tracked in isolation – they are part of ‘sustainability’ or ‘social’ indicators
2. KPIs are critical but remain under-developed
3. Most indicators are ‘process’ related, there is a lack of good ‘impact’ and ‘outcome’ indicators
4. Companies remain reluctant to report on human rights violations (supply chain is a possible exception)
5. Effective grievance mechanisms generate vital data for improving performance.

# “The End State”

Anticipating the Next Five Years

# Some areas of human rights are already mainstreamed



## Prognosis – some key predictions:

1. A human-centred approach
2. Clarity about terminology, language and standards
3. Human rights in contractual relationships
4. Accountability and grievance-mechanisms
5. Transparency

# Human rights explicit or implicit?

**INPUT** – always explicit use of human rights terminology in strategy and policy positions

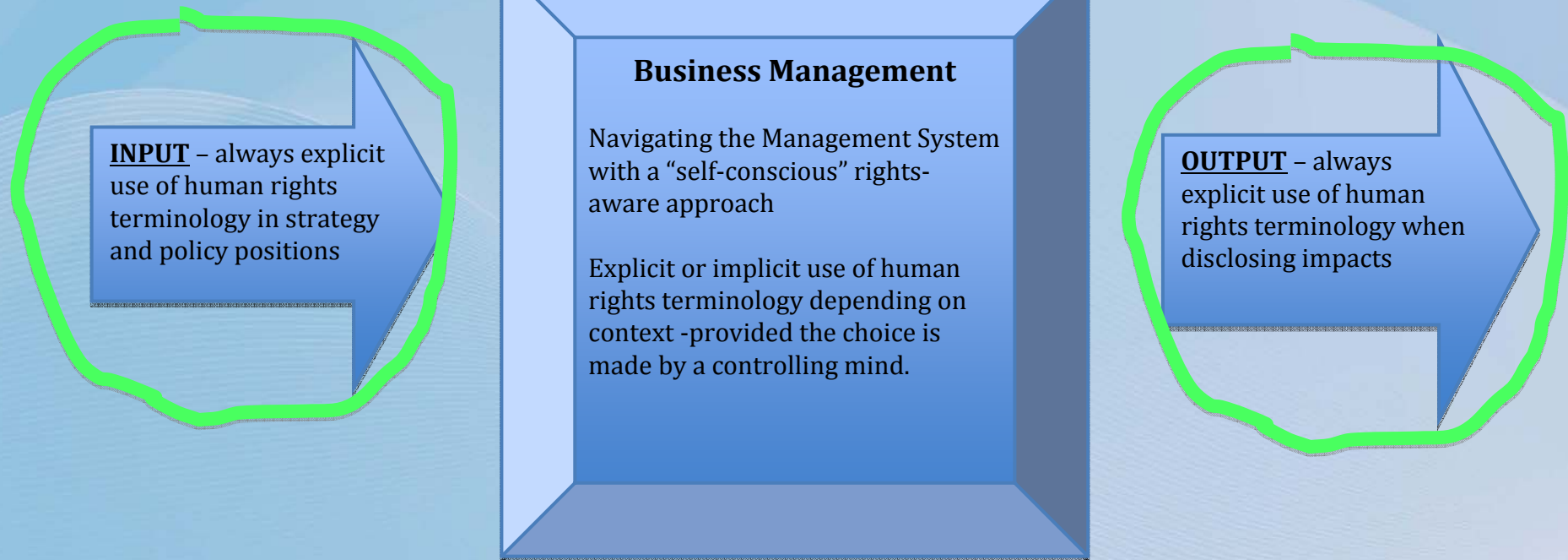
## Business Management

Navigating the Management System with a “self-conscious” rights-aware approach

Explicit or implicit use of human rights terminology depending on context -provided the choice is made by a controlling mind.

**OUTPUT** – always explicit use of human rights terminology when disclosing impacts

# Human rights explicit or implicit?



# “The Road Map”

How to get there?

## Discussion

- Alignment between Protect, Respect and Remedy Framework and other initiatives
- Wider uptake of human rights due diligence by companies
- Deeper human rights due diligence: across companies; more awareness of impacts; part of oversight systems; effective remedy when needed

## Conclusion

- Need to move beyond experimentation
- None of the companies had fully integrated human rights across their business and less progress still had been made on tracking performance.
- Critical for the next five years is increasing evidence that human rights due diligence is as relevant to businesses in key emerging economies