

Global Compact Human Rights Working Group (HRWG)

Meeting Summary Report

28-29 September

Palais Wilson, Geneva

Summary

This HRWG meeting covered a range of topics and resulted in a number of outcomes:

- HRWG members are encouraged to review the document on Engagement Opportunities for ideas on how to meet the minimum requirements for membership in the Human Rights Working Group, outlined in Terms of Reference.
- The UN Guiding Principles on business and human rights will remain a key focus of the HRWG. All guidance and documents developed and or promoted by the working group should align with the Guiding Principles. In addition, the HRWG will seek to help disseminate and encourage implementation of the Guiding Principles through its various channels including Global Compact Local Networks.
- HRWG members are encouraged to provide input to the business and human rights tools and resources summary document which will be promoted to all Global Compact participants.
- The HRWG should actively contribute to human rights-related Global Compact initiatives, including the Women's Empowerment Principles Initiative and the Children's Rights and Business Principles Initiative.
- A small task-force was established to finalize the Human Rights Reporting Guidance that is currently in development.
- Following the HRWG meeting it was decided that the launch of the Children's Rights and Business Principles should take place in the first quarter of 2012 (rather than November 2011 as originally planned). The current draft Principles will be revisited to ensure alignment with all key stakeholders.
- HRWG members were asked to review the Template for Human Rights Case Studies as well as the Guidance Document on the Development of Good Practice Notes. Both documents will be revised based on comments received and circulated to the HRWG for final approval.
- HRWG members were reminded of the opportunity to provide peer review to case studies and Good Practice Notes.
- A sub-working group was established to lead the HRWG's planning on Rio +20.
- The GCO will track engagement by HRWG members in a spreadsheet that will be available on Basecamp.

1. Welcome and introductions

Co-Chairs of the Human Rights Working Group, Mr. Pierre Sane and Sir Mark Moody-Stuart welcomed participants to the meeting and introduced themselves and the HRWG Secretariat, comprised of GCO staff members Ursula Wynhoven and Lauren Gula and OHCHR staff members Lene Wendland and John Grova, to participants. Meeting participants were then asked to introduce themselves, their organization and the expectations they have regarding their participation in the Human Rights Working Group. For a full list of meeting participants see (http://www.unglobalcompact.org/docs/issues_doc/human_rights/Human_Rights_Working_Group/Geneva_Meeting_RSVP_1SEPT.pdf).

Amongst other things, participants expressed an interest in:

- Identifying and sharing good business practice including through the development of Good Practice Notes and case studies;
- Deepening their understanding of the Guiding Principles, including implementation of and alignment with the Guiding Principles and how to operationalize the due diligence process;
- Exploring business and human rights challenges in specific regions and sectors;
- Understanding how business can respect and support the human rights of specific groups such as women, children and indigenous populations;
- Sharing best practice regarding the integration of human rights into the supply-chain;
- Tools and resources, especially those that align with the Guiding Principles;
- Human rights reporting;
- Clarifying the intersection of human rights and labour rights;
- Maximizing support for and interaction with GC Local Networks to ensure human rights are prioritized at the local level;
- Exploring business and human rights challenges faced by SMEs, especially through GC Local Networks;
- Business and human rights education.

Mr. Sane noted the alignment between participants' expectations and the current Terms of Reference and workstreams of the Human Rights Working Group.

2. HRWG Workstreams and Workplan

During this session participants were briefed on and engaged in discussion about the current workstreams of the HRWG, which fall under the three pillars below. Participants were encouraged to review the Engagement Opportunities Document (http://www.unglobalcompact.org/docs/issues_doc/human_rights/Human_Rights_Working_Group/A_genda_item2_Engagement_opportunities_HRWG_members.pdf) to find out how they can contribute to the various workstreams and fulfill the minimum requirement for participation in the Human Rights Working Group, outlined in the Terms of Reference (http://www.unglobalcompact.org/docs/issues_doc/human_rights/Human_Rights_Working_Group/TOR_HRWG.pdf).

Tools and Resources

- The HRWG has always had an interest in promoting uptake of human rights guidance for business and developing tools and resources where gaps in guidance exist
- There is now a spectrum of human rights guidance available to business. Thus, a key objective of the HRWG is to help companies determine which tools and resources are relevant and useful. For instance, tools and resources that address the corporate responsibility to respect human rights should be developed or revised to align with the Guiding Principles on business and human rights.
- In executing this objective, HRWG are encouraged to road-test business and human rights tools and resources and report back to the working group.
- HRWG are also asked to provide feedback to the two-page business and human rights tools and resources summary document (http://www.unglobalcompact.org/docs/issues_doc/human_rights/Resources/Some_key_business_and_human_rights_guidance_materials_and_how_to_use_them.pdf). Should any of the guidance materials and tools listed be removed? Are there any key resources that are missing? HRWG are asked to send comments to Lauren Gula (gulal@un.org) by 15 November. The two-pager will be revised and promoted to Global Compact participants through the December GC Monthly Bulletin.

Good Practices

- The Good Practices pillar of the HRWG's work includes three distinct workstreams: the development of Good Practice Notes, the development of case studies for the Embedding Human Rights into Business Practice case study series, and the Business and Human Rights Dilemmas Forum
- Good Practices are discussed in more detail under Agenda Item 6.

Special Initiatives

- The HRWG regularly gives input to special initiatives to which the Global Compact is involved.
- To date, these initiatives include: the Women's Empowerment Principles and the Children's Rights and Business Principles and the Global Business Initiative (discussed in greater detail under Agenda Item 5).
- The GCO explained that while the special initiatives that the Human Rights Working Group gives input to vary in topic, objective and structure, they are all ongoing and are human rights focused or have important human rights content. Thus, they provide important opportunities for involvement from HRWG members.
- The Global Business Initiative on Human Rights is a completely separate initiative, which is carried out in cooperation with the UNGC. At the meeting, Jo Clark, on behalf of the GBI, set out the opportunities for HRWG to engage with it. These will be incorporated into the engagement opportunities document for the HRWG.
- The request and opportunity for the UNGC to be involved in topics like business and women's empowerment, and business and children - such as with the Women's Empowerment Principles and the Children's Rights and Business Principles initiative - comes from the UN agencies (UN Women in the case of the WEPs and UNICEF in the case of the Children's principles) that have mandates to contribute to the advancement of the rights of these key stakeholders.
- The Secretariat for the HRWG will discuss all proposals for new Global Compact special initiatives related to human rights in order to ensure all relevant UN entities are willing and able to contribute critical expertise. The HRWG will be informed of proposals for new human-rights related special initiatives through the Co-Chairs of the HRWG.
- The involvement of the UNGC in such areas provides a great opportunity to help enhance coherence also within the UN system as regards the role of the private sector in respecting and supporting the human rights of these stakeholders, as well as to engage UNGC participants and stakeholders in the work of these other UN agencies.
- The HRWG provides a structured opportunity to get the input of the human rights and business experts that participate in it to give input to these initiatives, as well as to help road test and implement the principles and associated guidance.
- A question was asked about other possible special initiatives that the UNGC might be involved in. The GCO mentioned its past work with UN.GIFT on business and human trafficking, and a recent proposal from the Global Compact LEAD group to do work in the area of mapping standards and initiatives on business and indigenous peoples. A webinar on this will take place later in the year that interested HRWG members are welcome to participate in. Further information on this will be provided in due course.
- Meeting participants discussed the possibility of launching Special Initiatives to which the HRWG would have ownership. Ideas for special initiatives should be sent to Lauren Gula (gulal@un.org) and will be circulated to all HRWG members for discussion.

- Meeting participants also discussed the need to incorporate a worksteam on Local Networks and implementation at the local level. Such a workstream may fall under special initiatives or become a fourth pillar.

3. The UN “Protect, Respect and Remedy” Framework and the Guiding Principles on business and human rights

The Protect, Respect and Remedy Framework and the Guiding Principles on business and human rights is a cross-cutting focus of the HRWG. Participants were updated on developments since the adoption of the Guiding Principles in June 2011 and discussed how the HRWG can best contribute to the promotion and implementation of the framework and the Guiding Principles through its various workstreams. The main points from this discussion are captured below:

- With the adoption of the Guiding Principles there is now a clear understanding of what the corporate responsibility to respect (embedded in Principle 1 of the Global Compact) entails.
- The restructuring of the Human Rights Working Group is timely given the recent adoption of the Guiding Principles.
- While the UNGC human rights Principles include both respect and support for human rights, a significant challenge for business will now be ensuring that they, at minimum, align with the Guiding Principles. There is therefore a significant opportunity for the HRWG to focus on the Guiding Principles. It was noted that differentiating between respect and support for human rights will become increasingly important to companies as they try to determine if they are meeting the minimum requirements under the corporate responsibility to respect outlined in the Guiding Principles. At the same time, support for human rights remains a key component of the Global Compact’s human rights principles and important focus of the GC’s work.
- Ideas for how the HRWG can help advance the Guiding Principles included: promotion and awareness raising through its networks including Global Compact businesses and Local Networks, engaging in discussion on implementation of the Guiding Principles with business and other stakeholders, ensuring that business and human rights guidance developed and/or promoted by the GC as well as other GC initiatives (ie. Special Initiatives, Communication On Progress guidance etc.), are aligned with the Guiding Principles.
- When the Guiding Principles were endorsed, the Human Rights Council also created a new mechanism to establish a working group with a mandate to promote implementation and dissemination of the Guiding Principles. At the time of the HRWG meeting, HRWG member Margaret Jungk (DIHR) had been shortlisted to become a member of the Human Rights Council’s working group. We were pleased to learn that Margaret’s appointment to the working group was officially announced on 1 November. For a list of all members see (<http://www.ohchr.org/EN/Issues/Business/Pages/WGHRandtransnationalcorporationsandotherbusiness.aspx>). The working group is multi-stakeholder in composition, as had been suggested to the Human Rights Council in a letter from the HRWG in early 2011. Although it remains unclear exactly how the Human Rights Council’s working group will operate, it is likely that it will be responsible for determining the agenda for an annual forum on business and human rights at the UN among other things. Under the guidance of Margaret Jungk, the HRWG will explore the best way to contribute to the Human Rights Council’s working group.

4. Human Rights Reporting and Other Business and Human Rights Tools and Resources

During this session, particular attention was paid to human rights reporting guidance (http://www.unglobalcompact.org/docs/issues_doc/human_rights/Human_Rights_Working_Group/A

genda_item5_Human_Rights_Reporting_Guidance_SEPT11.pdf) which has been in development for the past 18 months and which the HRWG has provided input to. Participants raised a number of questions and concerns about the guidance including:

- The final document should be more reader friendly. Concerns were raised about the length and readability of the document, as well as the tone.
- The current draft needs to be revised to better align with the Guiding Principles
- Who is the guidance targeted at? Is the guidance meant to challenge advanced companies or is it meant to outline minimum good practice for all GC companies.
- How does it fit into the GC's Communication on Progress?
- Should labour principles be incorporated into the human rights guidance or should independent reporting guidance be developed for labour rights.
- What is the relationship between the reporting guidance and GRI? Is the aim of the reporting guidance to encourage disclosure or provide indicators?
- Should the reporting guidance be road tested, for example, by GC LEAD companies?

Participants were asked to volunteer to be part of a small task-force that will work with COP team member, Christine Weinreich, the HRWG Secretariat and HRWG Chair, Pierre Sane, to address the questions raised during the meeting and revise the current reporting guidance. As a first step, sub-working group members were asked to submit comments to Christine Weinreich (weinreich@un.org) by 7 October. Once a revised draft has been developed it will be circulated to all HRWG members.

Task Force Members: Domenica Di Donato (ENI), Vicky Bowman (Rio Tinto), Iris Van Der Veken (Rosy Blue), Mark Nordstrom (General Electric), Xiahui Liang (CNTAC), Simone Alaya (OMV), Bastien Buck (GRI), Chip Pitts (Stanford University), Christian Frutiger (Nestle), Githa Roelans (ILO)

5. Special Initiatives: Global Business Initiative on Human Rights, the Women's Empowerment Principles and the Children's Rights and Business Principles

Following up on the conversation that took place on Special Initiatives to which the HRWG provides input to, during this session HRWG were briefed on the Global Business Initiative on Human Rights, the Women's Empowerment Principles and The Children's Rights and Business Principles.

GBI:

- On behalf of the Global Business Initiative, Jo Clark explained that GBI appreciates support and input from the HRWG, especially given its diverse composition, and outlined the range of ways that the HRWG can engage with the initiative.
- For instance, HRWG members are invited to provide input on participants and speakers for future roundtables and suggest contacts, suppliers, customers, indigenous brands or colleagues who might be interested in attending future events.
- Jo noted that the upcoming African roundtable agenda would be shared with the HRWG in due course and that feedback is welcome.
- In terms of membership of the initiative, if members know companies from emerging or developing markets interested in participating – please encourage to do so – it could be a business in their value chain or a business partners in whom they would like to encourage more movement on Human Rights.
- Jo also highlighted the opportunity for HRWG to review tools and resources that are developed by GBIs various workstreams.

WEPs:

- UN Women briefed participants on the current status of the Women's Empowerment Principles, a joint initiative of the UN Global Compact and UN Women which was launched in March 2010.
- At the time of the meeting, nearly 250 companies had signed the CEO Statement of Support for the WEPs. Moreover, civil society organizations, UN agencies and women's organizations and associations around the world have demonstrated support for the WEPs through outreach, promotion and by aligning their own efforts and programmes with the WEPs. Governments and other international organizations have also indicated that they consider the WEPs a valuable tool to help companies implement commitments to gender equality and women's empowerment and enhance partnerships with the private sector.
- In addition, in partnership with UN Women and the UN Global Compact at the global level, WEPs supporters and collaborators have organized national launches of the WEPs (ex. Switzerland, Turkey and South Africa).
- The WEPs team will continue efforts to raise awareness about the WEPs and provide guidance on implementation of the WEPs by highlighting relevant tools and resources and through sharing of good practice. Further, the WEPs team is currently in the process of developing reporting guidance.
- UN Women highlighted the many ways that HRWG members can become involved with and contribute to the WEPs initiative (also highlighted in the background document) including:
 - Road-testing the WEPs and reporting back on the findings;
 - Collaborating with UN Women and the UN Global Compact and/or other partners at the local level to develop and host a local event or webinar to raise awareness and stimulate dialogue around the WEPs framework or a WEPs-related topic of particular relevance or interest;
 - Submitting to the WEPs team concrete examples of what your company is doing to empower women and advance the goals of the WEPs;
 - Promoting the WEPs to peers and partners and launch a national/regional signature drive for the CEO Statement of Support for the WEPs.
 - Undertake or sponsor translation of the WEPs materials into local language(s).
 - The next global WEPs meeting in New York on 6 March 2012 provides a new opportunity to focus on good practices, collaborations, progress and, as always, challenges

CRBP:

- The GCO and UNICEF representative briefed participants on the process launched by UNICEF, Save the Children and the UN Global Compact in June 2010 to develop a set of comprehensive principles for businesses on what to do to respect and support children's rights in the workplace, marketplace and community.
- The Children's Rights and Business Principles are built on existing standards, initiatives and best practices relating to business and children, and seek to fill in the gaps to present a coherent vision for business to maximize the positive impacts and minimize negative impacts on children of their operations. In doing so, they help to elaborate both expectations of and opportunities for business in relation to children, who are an often overlooked stakeholder of business.
- While child labour is often the first topic that comes to mind when considering the business and children nexus, the Principles help raise awareness of the many other important dimensions.
- The draft Principles is based on extensive feedback received through rounds of consultations, including a three month public consultation process. Among other things the consultation has included input from an Expert Reference Group, which was composed of inter alia child rights

experts, corporate sustainability experts, ILO-IPEC, and a member of the SRSG's team. In addition, more than 600 business representatives, civil society representatives and children participated in face-to-face or online consultations all around the world. All in all, several thousand people were reached in the initiative's efforts to build awareness of the Principles in advance of their official launch.

- Despite overall support for the Children's Rights and Business Principles, some participants raised concerns about the latest draft and its alignment with key stakeholders including the ILO Conventions, Guiding Principles, amongst others. In part due to this concern, following the HRWG meeting it was decided that the launch of the Children's Rights and Business Principles should take place in the first quarter of 2012 (rather than November 2011 as originally planned) in order to ensure alignment with all key stakeholders.

6. Good Practices

During this session, HRWG meeting participants were updated on the three workstreams that fall under the Good Practices pillar: the development of business and human rights case studies for inclusion in Embedding Human Rights in Business Practices, the development of Good Practice Notes (GPNs), and the Business and Human Rights Dilemmas Forum.

Case Studies:

- HRWG were updated on the case studies that are currently in development (http://www.unglobalcompact.org/docs/issues_doc/human_rights/Human_Rights_Working_Group/Agenda_item6_Case_Study_Tracking_24Sept11.pdf)
- In addition, HRWG were asked to review the template (http://www.unglobalcompact.org/docs/issues_doc/human_rights/Resources/Template_for_HR_case_studies_final.doc) for the development of business and human rights case studies for inclusion in Embedding Human Rights in Business Practice. Comments should be sent to (gulal@un.org).
- HRWG should note that unlike in the past, there is no editorial board for business and human rights case studies. Rather, all HRWG should consider providing peer review to case studies based on the topic of the case study and their expertise and interest. The GCO will contact the HRWG and ask for volunteers when case studies are ready for peer review. However, HRWG are also welcome to indicate their interest in providing peer review for case studies that are being developed by contact Lauren Gula (gulal@un.org).
- HRWG members were also encouraged to consider having their company be the subject of a case study or to suggest a topic for a future case study.
- Case studies will also be posted on Basecamp in case HRWG wish to provide written feedback.
- Monica Bowen-Schrire (Vattenfall) kindly agreed to be a peer reviewer for the FSI case study on the topic of combating human trafficking.

Good Practice Notes:

- In 2008, the HRWG decided that one of its functions would be to act as a "forum" for identifying good business practices in implementing the Global Compact human rights principles. Good practices may be practical solutions to commonly occurring dilemma situations or specific management practices proven to be helpful in enabling a company to respect and/or support human rights.
- HRWG members were informed of the GPNs currently in development (http://www.unglobalcompact.org/docs/issues_doc/human_rights/Human_Rights_Working_G

roup/Agenda_item6_GPN_Tracking_19SEPT11.pdf). HRWG were asked to volunteer to become peer reviewers for upcoming GPNs. Volunteers included:

- Access to Medicine: Eric (Merck), Klaus (Novartis)
- Human Rights Policies and the Role of Lawyers: Steven (SAI), Anthony (Columbia)
- Strategic Philanthropy: Yann (Nestle), Abi (Hitachi)
- Violent Crime: Jonah (Sodexo), Isabel (Grupo Santander),

*** To indicate your willingness to provide peer review to a GPN, kindly contact Lauren Gula (gulal@un.org) and Chip Pitts (chip.pitts@att.net)

- In addition, HRWG members were invited to review and provide comments on the Guidance Document on the Development of Good Practice Notes (http://www.unglobalcompact.org/docs/issues_doc/human_rights/Resources/GPN_Guidelines.pdf) which includes procedures for endorsement and instructions on how to ensure strong human rights content and alignment with the Guiding Principles.
- A draft good Practice Note on Access to Medicine was discussed. However, it was determined that endorsement of the GPN should be reconsidered after the HRWG has had more time review the draft as well as the Guidance Document on the Development of Good Practice Notes and address a number of outstanding issues that were raised about GPNs more generally.
- One point of discussion during the meeting was what the term “endorsement” entails and what level of consensus needs to be reached in order to consider a Good Practice “endorsed” by the HRWG.
- Some participants felt that endorsing may be too strong a word and worried that by putting their company’s name to such a document they would be committing to having implemented in full the suggested good practice. Using the word “cleared” was mentioned as an alternative to “endorsed”. However, it was noted that GPNs strive to go beyond informative academic papers to capture real-life practical approaches and efforts companies are taking to respect and support human rights as well as the perspectives of civil society, trade unions etc.
- It was emphasized that Good Practice Notes do not aim to establish lowest common denominator across a sector/industry. Rather they strive to set the bar higher than what mainstream companies are doing. Thus, the practices outlined in GPNs may not be achievable for all companies
- One suggestion was to make sure that the language used in the Good Practice Notes is not prescriptive, but rather offers possible ideas for consideration for companies that are interested in going beyond minimum requirements. In some cases, a variety of approaches may be mentioned as possible good practice.
- In this context, the need to differentiate between policies, practices and approaches that address the corporate responsibility to respect human rights and those that address the commitment to support human rights included in the Global Compact’s human rights principles was noted. However, a GPN may discuss both respect and support for human rights.
- Please send all GPN-related comments should be sent to Lauren Gula (gulal@un.org) and GPN Leader, Chip Pitts (chip.pitts@att.net) by 15 November.

HRBDF:

- HRWG meeting participants were reminded of the opportunity to contribute to the Human Rights and Business Dilemmas Forum (<http://human-rights.unglobalcompact.org>) - an online, multi-stakeholder platform for multi-national corporations (MNCs) with operations, supply chains and distribution networks in regions that present high levels of risk to the realisation of human rights.

- The Forum is designed to help companies and stakeholders understand and share experiences of real-world challenges, particularly in emerging economies. In many cases, these challenges have no short term or straightforward solutions that will satisfy all stakeholders, thus representing a dilemma for responsible business.
- The online Forum will strive to enhance the collective understanding of human rights risks and responsibilities for business by offering users the opportunity to share, explore and discuss a wide range of dilemmas, case studies and good practice.
- Twenty-two dilemma papers have already been made available on the HRBDF, including the most recent dilemma papers on Access to Water, Community Relocation and Health and Safety.

7. Rio +20

- The GCO explained that the Global Compact will organize the Rio+20 Corporate Sustainability Forum: Innovation & Collaboration for the Future We Want from 28 May - 2 June 2012 in Rio de Janeiro – held in cooperation with the Rio+20 Secretariat, the UN System and the Global Compact Local Network Brazil.
- The objective of the week-long forum is to strengthen the business contribution to sustainable development globally – seeking to bring greater scale and quality to implementation of corporate sustainability practices, innovation and collaboration.
- The Rio+20 Corporate Sustainability Forum will provide a venue for business, industry and investors to meet with Governments, local authorities, civil society and UN entities – with over 2,000 participants expected. The week-long Forum will consist of dozens of highly focused workshops and thematic sessions linked to the Rio+20 agenda.
- Following the HRWG, the main themes for the Corporate Sustainability Forum were confirmed. They include: Energy and Climate, Agriculture and Food, Water, Biodiversity, Social Development, Good Governance and Anti-Corruption, Urbanization and Cities, Finance and Responsible Investment, and Education and Research. Cross-cutting themes will include: Partnerships, Innovation, Transparency and Disclosure, and Supply-Chain Management.
- All human rights related events will fall under the theme of Social Development.
- The Corporate Sustainability Form provides a key opportunity for the HRWG to highlight the human rights dimension of corporate sustainability, understood as businesses contribution to sustainable development.
- Cody Sisco (BSR) volunteered to coordinate a small sub-working group to lead the HRWG’s planning on Rio +20. Others that volunteered to be part of the sub-working group include: Margaret (DIHR), Abi (Hitachi), Laraine (UN Women), Juliana (Mattos Filho), Brian (Monsanto), Kate Cacciatore, Vicky (Rio Tinto).