

Implementing the United Nations Initiatives - UN “Protect, Respect and Remedy” Framework, UN Global Compact

This module has the following objectives:

Enable the participants to

- Determine the United Nations initiatives on corporate responsibility to respect human rights;
- Discuss the principles and mechanisms being promoted in the UN Global Compact, UN “Protect, Respect and Remedy” Framework, and other UN initiatives; and
- Identify possible measures that would help companies fulfill their human rights commitment under the UN initiatives.

Time: 4 HOURS AND 15 MINUTES

Materials:

- Big size papers, colored pens, writing papers, adhesive tapes;
- Equipment - computer, projector, screen;
- Video/documents on the United Nations initiatives on corporate responsibility to respect human rights.

Implementing the United Nations Initiatives – UN “Protect, Respect and Remedy” Framework, UN Global Compact

I. Procedure

a. Opener - 30 MINUTES

Show a video or powerpoint on the general introduction of the United Nations’ Global Compact and other initiatives on business and human rights. The video “Global Compact+15: Business as a Force for Good” (available on YouTube) can be used for this purpose.

Additional information can be provided regarding:

1. Women Empowerment Principles (partnership between Global Compact and UNWomen) – see Annex A;
2. Children’s Rights and Business Principles (partnership between Global Compact and UNICEF) – see Annex B;

Have an open forum and encourage the participants to raise questions. Classify and summarize questions on the board.

b. Input – 1 HOUR

Using the major questions raised in the open forum as starting point, provide a more detailed input on the UN Global Compact and the UN “Protect, Respect and Remedy” Framework.

Discuss in the input the major elements of the UN initiatives, particularly the following:*

Principles:

1. Human Rights
 - Principle 1: Businesses should support and respect the protection of internationally proclaimed human rights; and
 - Principle 2: make sure that they are not complicit in human rights abuses.
2. Labour
 - Principle 3: Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining;
 - Principle 4: the elimination of all forms of forced and compulsory labor;
 - Principle 5: the effective abolition of child labor; and
 - Principle 6: the elimination of discrimination in respect of employment and occupation.

* These are part of the “Ten Principles of the UN Global Compact.” The remaining three principles are the following:
Environment

Principle 7: Businesses should support a precautionary approach to environmental challenges;

Principle 8: undertake initiatives to promote greater environmental responsibility; and

Principle 9: encourage the development and diffusion of environmentally friendly technologies.

Anti-Corruption

Principle 10: Businesses should work against corruption in all its forms, including extortion and bribery.

Source: www.unglobalcompact.org/what-is-gc/mission/principles.

Stress specific provisions of the *Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework* such as the following:**

Protect, Respect and Remedy Framework:

1. **State duty to protect human rights**
States must protect against human rights abuse within their territory and/or jurisdiction by third parties, including business enterprises.
2. **Corporate responsibility to respect human rights**
Business enterprises should respect human rights. This means that they should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved.
3. **Access to remedies**
As part of their duty to protect against business-related human rights abuse, States must take appropriate steps to ensure, through judicial, administrative, legislative or other appropriate means, that when such abuses occur within their territory and/or jurisdiction those affected have access to effective remedy.

Corporate responsibility: Human rights due diligence

In order to identify, prevent, mitigate and account for how they address their adverse human rights impacts, business enterprises should carry out human rights due diligence. The process should include assessing actual and potential human rights impacts, integrating and acting upon the findings, tracking responses, and communicating how impacts are addressed.

Use the text of Annex C as reference material for the participants on the basic components of the UN framework on business and human rights. Alternatively, the 2011 UN report on the framework*** can also be made available to the participants.

c. Activity - 1 HOUR

As an introduction to group work, stress the UN Global Compact objective of providing “a principle-based framework to guide companies in the process of integrating human rights, labour standards, environmental stewardship, and anti-corruption in strategy and operations.” Use Annexes D to G for visual aids on UN Global Compact.

Emphasize the important obligation of UN Global Compact member-companies to submit a report stressing their

1. continued commitment to the initiative,

** *UN Framework and the Global Compact, Guiding Principles on Business and Human Rights*, www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf.

*** Annex of the Report of the Special Representative of the Secretary General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie, Advance Edited Version, 21 March 2011, A/HRC/17/31/. Full text available at www.ohchr.org/Documents/Issues/Business/A-HRC-17-31_AEV.pdf.

2. a description of practical actions on each of the four issue areas (human rights, labor standards, environmental stewardship, and anti-corruption) encompassed in the Ten Principles, and
3. a measurement of outcomes using qualitative and quantitative indicators.

Ask the participants to discuss in their groups the significant human rights and labor issues that companies should focus in their report to the UN Global Compact.

Instruct the participants to prepare a report on their answers.

d. Input – 30 MINUTES

Introduce the implementation measures of the UN Global Compact, namely:

1. Integrity Measures (Annex H);
2. Communication of Progress (Annex I).

e. Activity - 1 HOUR

Ask the participants to discuss in the same small groups the following concrete examples of Communication of Progress content - human rights (Annex J), labor (Annex K), and stakeholder engagement (Annex L).

1. What significant indicators should appear in the company report to the UN Global Compact?
2. What probable problem areas may appear in company reports to the UN Global Compact?
3. How can affected people influence the preparation of company report in compliance with the UN Global Compact commitment?

Ask the participants to report to the plenary the results of group discussions in the two activities.

Organize on the board the main points that came out of the group reports.

II. Summary

Time: 15 MINUTES

Summarize the main points discussed during the session such as the following:

1. Major components of the UN Framework on Business and Human Rights;
2. Challenges in implementing the UN initiatives such as the UN Global Compact experience;
3. Compliance by companies on their commitment under the UN initiatives;
4. Participation of affected people in the UN initiatives.

Annex A

Women's Empowerment Principles

Principle 1: Establish high-level corporate leadership for gender equality

Principle 2: Treat all women and men fairly at work - respect and support human rights and nondiscrimination

Principle 3: Ensure the health, safety and well-being of all women and men workers

Principle 4: Promote education, training and professional development for women

Principle 5: Implement enterprise development, supply chain and marketing practices that empower women

Principle 6: Promote equality through community initiatives and advocacy

Principle 7: Measure and publicly report on progress to achieve gender equality.

(Source: www.weprinciples.org/)

Annex B

Children's Rights and Business Principles

1. Meet the (companies') responsibility to respect children's rights and commit to supporting the human rights of children;
2. Contribute to the elimination of child labour, including in all business activities and business relationships;
3. Provide decent work for young workers, parents and caregivers;
4. Ensure the protection and safety of children in all business activities and facilities;
5. Ensure that products and services are safe, and seek to support children's rights through them;
6. Use marketing and advertising that respect and support children's rights;
7. Respect and support children's rights in relation to the environment and to land acquisition and use;
8. Respect and support children's rights in security arrangements;
9. Help protect children affected by emergencies;
10. Reinforce community and government efforts to protect and fulfil children's rights.

(Source: Children's Rights and Business Principles, <http://childrenandbusiness.org/>)

Annex C

Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy: a Framework for Business and Human Rights” Framework* (excerpts)***

i. State duty to protect human rights*****

States must protect against human rights abuse within their territory and/or jurisdiction by third parties, including business enterprises. This requires taking appropriate steps to prevent, investigate, punish and redress such abuse through effective policies, legislation, regulations and adjudication.

In meeting their duty to protect, States should:

(a) Enforce laws that are aimed at, or have the effect of, requiring business enterprises to respect human rights, and periodically to assess the adequacy of such laws and address any gaps;

(b) Ensure that other laws and policies governing the creation and ongoing operation of business enterprises, such as corporate law, do not constrain but enable business respect for human rights;

(c) Provide effective guidance to business enterprises on how to respect human rights throughout their operations;

(d) Encourage, and where appropriate require, business enterprises to communicate how they address their human rights impacts.

ii. Corporate responsibility to respect human rights*****

Business enterprises should respect human rights. This means that they should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved.

The responsibility to respect human rights requires that business enterprises:

(a) Avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur;

(b) Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.

The responsibility of business enterprises to respect human rights applies to all enterprises regardless of their size, sector, operational context, ownership and structure. Nevertheless, the scale and complexity of the means through which enterprises meet that responsibility may vary according to these factors and with the severity of the enterprise’s adverse human rights impacts.

Human rights due diligence*****

In order to identify, prevent, mitigate and account for how they address their adverse human rights impacts, business enterprises should carry out human rights due

**** Ibid.,

***** Ibid., pages 3-4.

***** Ibid., pages 13-15.

***** Ibid., page 17.

diligence. The process should include assessing actual and potential human rights impacts, integrating and acting upon the findings, tracking responses, and communicating how impacts are addressed. Human rights due diligence:

(a) Should cover adverse human rights impacts that the business enterprise may cause or contribute to through its own activities, or which may be directly linked to its operations, products or services by its business relationships;

(b) Will vary in complexity with the size of the business enterprise, the risk of severe human rights impacts, and the nature and context of its operations;

(c) Should be ongoing, recognizing that the human rights risks may change over time as the business enterprise's operations and operating context evolve.

iii. Access to remedies*****

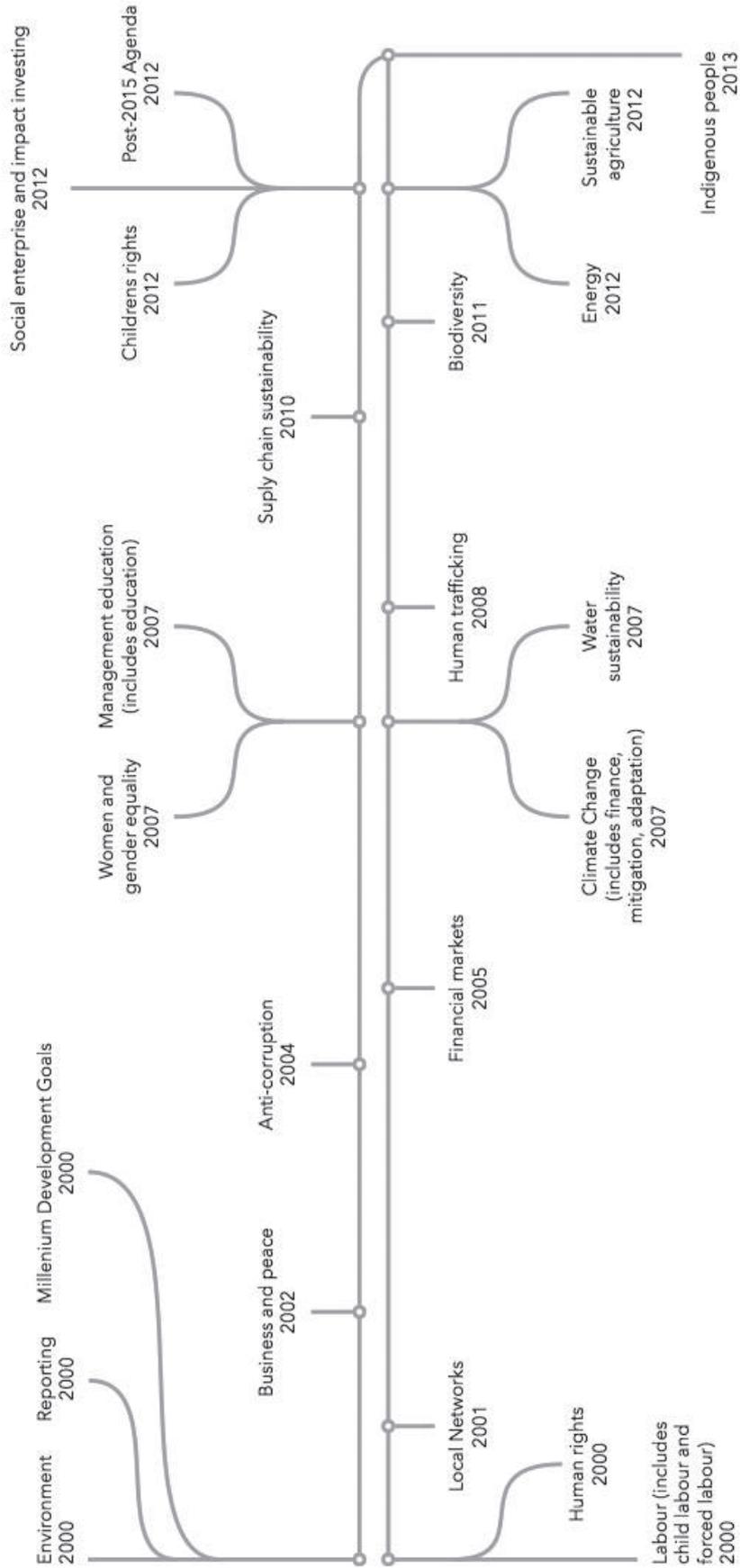
As part of their duty to protect against business-related human rights abuse, States must take appropriate steps to ensure, through judicial, administrative, legislative or other appropriate means, that when such abuses occur within their territory and/or jurisdiction those affected have access to effective remedy.

To make it possible for grievances to be addressed early and remediated directly, business enterprises should establish or participate in effective operational-level grievance mechanisms for individuals and communities who may be adversely impacted.

***** Ibid., pages 27-31.

Annex D

11 Big issues: When did the Global Compact start working on broader range of issues

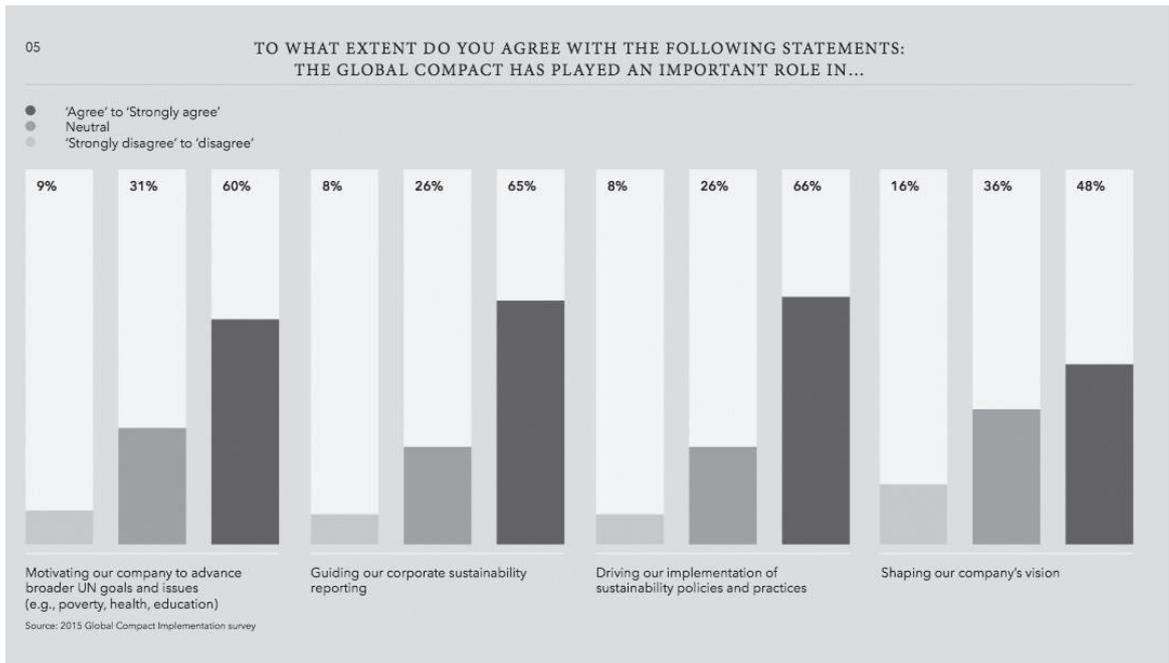


(Source: United Nations Global Compact, *Impact, Transforming Business, Changing the World*, 2015, page 77.)



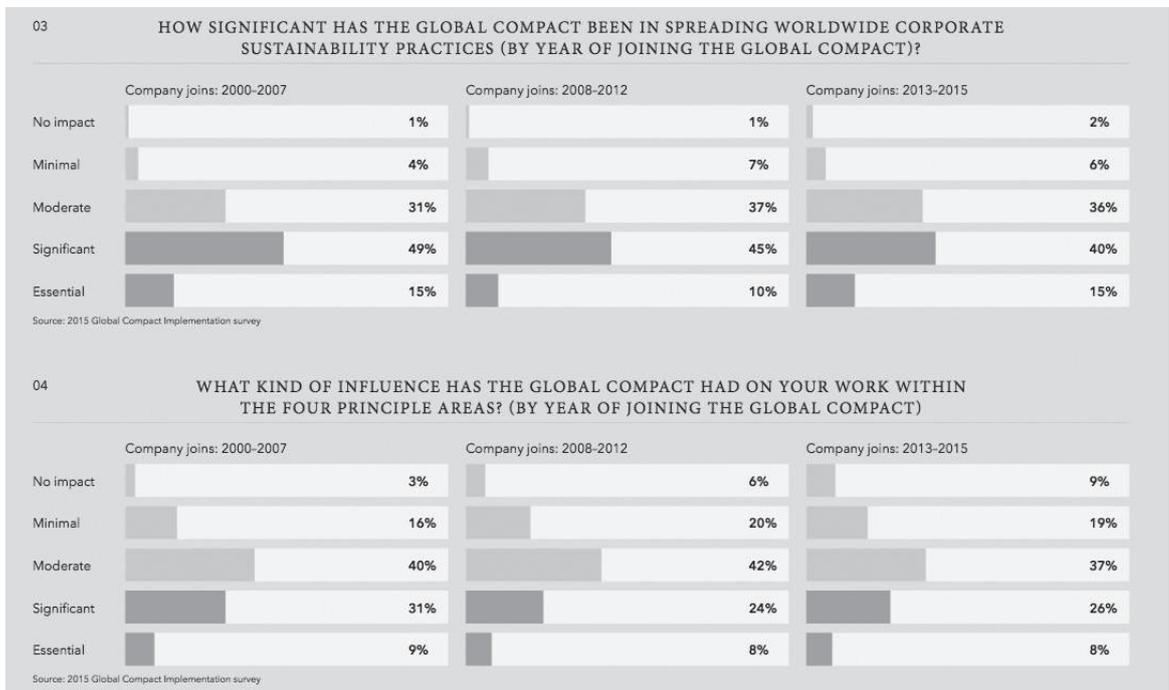
(Source: United Nations Global Compact, *Impact, Transforming Business, Changing the World*, 2015, page 14..)

Annex F



(Source: United Nations Global Compact, *Impact, Transforming Business, Changing the World*, 2015, page 15.)

Annex G



(Source: United Nations Global Compact, *Impact, Transforming Business, Changing the World*, 2015, page 15.)

Annex H

Integrity Measures

THE UNITED NATIONS GLOBAL COMPACT is a voluntary initiative that seeks to advance universal principles on human rights, labor, environment and anti-corruption through the active engagement of the corporate community, in cooperation with civil society and representatives of organized labor. The initiative is not designed, nor does it have the mandate or resources, to monitor or measure member-companies' performance. Nevertheless, with the aim of assuring that the integrity of the Global Compact is safeguarded at all times, the Secretary-General has adopted the following measures:

1. Misuse of association with the UN and/or Global Compact
2. Prohibition on the “use of the United Nations name and emblem for commercial purposes or in any other manner without the prior authorization of the Secretary-General, and recommends that Member States take the necessary measures to prevent the unauthorized use thereof;”
3. Failure to Communicate Progress
4. If a member-company fails to communicate its progress by the deadline, it will be listed as “noncommunicating” on the Global Compact website. If a further year passes without the submission of a COP, the member-company will be expelled. The Global Compact reserves the right to publish the names of companies that have been expelled for failure to communicate on their progress;
5. Allegations of systematic or egregious abuses
6. Safeguarding the “reputation, integrity and good efforts of the Global Compact and its [member-companies] requires transparent means to handle credible allegations of systematic or egregious abuse of the Global Compact’s overall aims and principles.”

(Source: Text based on *Global Compact – Integrity Measures*. Available at www.unglobalcompact.org/docs/about_the_gc/integrity_measures/Integrity_Measures_Note_EN.PDF)

Annex I

Overview of the Communication on Progress (COP)

THE COMMUNICATION ON PROGRESS (COP) is an annual disclosure through which a business informs stakeholders about its efforts to implement the principles of the United Nations (UN) Global Compact.

As the central component of the UN Global Compact's integrity measures, the COP's main objective is to serve as a public vehicle for information on sustainability performance. At the same time, the COP can be an effective tool for stakeholder dialogue and the sharing of best and emerging practices.

As a public document, the COP is an important demonstration of a company's commitment to transparency and accountability. Failure to submit a COP on the Global Compact website will result in a change of participant status and can eventually lead to the expulsion of a business from the initiative.

The submission of a COP enhances stakeholder access to information about a participant's sustainability performance.

The COP Policy applies only to business participants.

(Source: UN Global Compact Policy on Communicating Progress, Updated 1 March 2013)

Submitting an annual COP is at the heart of the company's commitment to the UN Global Compact and provides valuable information to company stakeholders. It covers the following:

- A statement by the chief executive expressing continued support for the UN Global Compact and renewing the participant's ongoing commitment to the initiative;
- A description of practical actions the company has taken or plans to take to implement the Ten Principles in each of the four areas (human rights, labour, environment, anti-corruption); and
- A measurement of outcomes.

At the advanced level, companies are required to expand upon the minimum content requirements and to disclose actions and results in the following dimensions:

- Implementing the Ten Principles into strategies and operations;
- Taking action in support of broader UN goals and issues;
- Corporate sustainability governance and leadership.

(Source: Text based on www.unglobalcompact.org/participation/report/cop)

Corporate commitments to the UN Global Compact:

- Operate responsibly, in alignment with universal sustainability principles;
- Take actions that support the society around the company;
- Commit to the effort from company's highest level, pushing sustainability deep into its DNA;
- Report annually on ongoing efforts; and
- Engage locally where the company has a presence.

(Source: Text based on www.unglobalcompact.org/participation/join/commitment)

Annex J

Indicators of Compliance – Human Rights

<p>Principle 1: Human Rights</p> <p>Businesses should support and respect the protection of internationally proclaimed human rights</p>	<p>Investment:</p> <ul style="list-style-type: none"> • Total hours of employee training on human rights policies or procedures concerning aspects of human rights that are relevant to operations, including the percentage of employees trained • Security Practices: • Percentage of security personnel trained in the organization’s human rights policies or procedures that are relevant to operations • Indigenous Rights • Total number of incidents of violations involving rights of indigenous peoples and actions taken <p>Assessment</p> <ul style="list-style-type: none"> • Total number and percentage of operations that have been subject to human rights reviews or impact assessments • Human Rights Grievance Mechanisms • Number of grievances about human rights impacts filed, addressed, and resolved through formal grievance mechanisms <p>Society:</p> <ul style="list-style-type: none"> • Local Communities • Percentage of operations with implemented local community • Engagement, impact assessments, and development programs • Operations with significant actual and potential negative impacts on local communities
<p>Principle 2: Human Rights</p> <p>Business should make sure they are not complicit in human rights abuses.</p>	<p>Investment:</p> <ul style="list-style-type: none"> • Total number and percentage of significant investment agreements and contracts that include human rights clauses or that underwent human rights screening <p>Supplier Human Rights Assessment</p> <ul style="list-style-type: none"> • Percentage of new suppliers that were screened using human rights criteria • Significant actual and potential negative human rights impacts in the supply chain and actions taken

(Source: Text based on *Making the Connection - Using GRI G4 Guidelines to Communicate Progress on the UN Global Compact Principles*, Global Compact and GRI, pages 18-19.)

Annex K

Indicators of Compliance – Labor

<p>Principle 3: Labour</p> <p>Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining.</p>	<p>General Standard Disclosures Organizational Profile</p> <p>a. Report the percentage of total employees covered by collective bargaining agreements.</p> <p>Indicators Freedom of Association and Collective Bargaining</p> <ul style="list-style-type: none"> • Operations and suppliers identified in which the right to exercise freedom of association and collective bargaining may be violated or at significant risk, and measures taken to support these rights <p>Labor: Labor/Management Relations</p> <ul style="list-style-type: none"> • Minimum notice periods regarding operational changes, including whether these are specified in collective agreements
<p>Principle 4: Labour</p> <p>Businesses should uphold the elimination of all forms of forced and compulsory labour.</p>	<p>Forced or Compulsory Labor</p> <ul style="list-style-type: none"> • Operations and suppliers identified as having significant risk for incidents of forced or compulsory labor, and measures to contribute to the elimination of all forms of forced or compulsory labor
<p>Principle 5: Labour</p> <p>Businesses should uphold the effective abolition of child labour.</p>	<p>Child Labor</p> <p>Operations and suppliers identified as having significant risk for incidents of child labor, and measures taken to contribute to the effective abolition of child labor</p>

<p>Principle 6: Labour</p> <p>Businesses should uphold the elimination of discrimination in respect of employment and occupation.</p>	<p>General Standard Disclosures</p> <p>Organizational Profile</p> <ol style="list-style-type: none"> 1. Report the total number of employees by employment contract and gender. 2. Report the total number of permanent employees by employment type and gender. 3. Report the total workforce by employees and supervised workers and by gender. 4. Report the total workforce by region and gender. 5. Report whether a substantial portion of the organization's work is performed by workers who are legally recognized as self-employed, or by individuals other than employees or supervised workers, including employees and supervised employees of contractors. 6. Report any significant variations in employment numbers (such as seasonal variations in employment in the tourism or agricultural industries). <p>Indicators</p> <p>Economic: Aspect: Market Presence</p> <ul style="list-style-type: none"> • Ratios of standard entry level wage by gender compared to local minimum wage at significant locations of operation • Proportion of senior management hired from the local community at significant locations of operation <p>Labor Practices and Decent Work: Employment</p> <ul style="list-style-type: none"> • Total number and rates of new employee hires and employee turnover by age group, gender and region • Return to work and retention rates after parental leave, by gender <p>Training and Education</p> <ul style="list-style-type: none"> • Average hours of training per year per employee by gender, and by employee category • Percentage of employees receiving regular performance and career development reviews, by gender and by employee category <p>Diversity and Equal Opportunity</p> <ul style="list-style-type: none"> • Composition of governance bodies and breakdown of employees per employee category according to gender, age group, minority group membership, and other indicators of diversity <p>Equal Remuneration for Women and Men</p> <ul style="list-style-type: none"> • Ratio of basic salary and remuneration of women to men by employee category, by significant locations of operation <p>Human Rights: Non-discrimination</p> <ul style="list-style-type: none"> • Total number of incidents of discrimination and corrective actions taken
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(Source: Text based on pages 18-19, *Making the Connection - Using GRI G4 Guidelines to Communicate Progress on the UN Global Compact Principles*, Global Compact and GRI.)

Annex L

Stakeholder Engagement

STAKEHOLDER ENGAGEMENT is at the core of the commitment to the UN Global Compact. As a private-public initiative, the UN Global Compact offers companies access to key actors in the corporate sustainability landscape, including governments, civil society, labor, academia and the United Nations system. Companies in the UN Global Compact recognize the importance of stakeholder consultation in the process of integrating the UN Global Compact principles into core operations and strategy.

At the advanced level, companies must describe in their COP their engagement with all important stakeholders, including:

- Publicly recognize responsibility for the company's impacts on internal and external stakeholders;
- Define sustainability strategies, goals and policies in consultation with key stakeholders;
- Consult stakeholders in implementation dilemmas and challenges and invite them to take active part in reviewing performance;
- Establish channels to engage with employees and other stakeholders to hear their ideas and address their concerns, and protect "whistle-blowers;"
- Provide a list of stakeholder groups engaged by the organization.

Report on the following:

- Basis for identification and selection of stakeholders with whom to engage;
- Organization's approach to stakeholder engagement dealing with, including frequency of engagement by type and by stakeholder group, and an indication of whether any of the engagement was undertaken specifically as part of the report preparation process;
- Key topics and concerns that have been raised through stakeholder engagement, and how the organization has responded to those key topics and concerns, including through its reporting.

(Source: Text based on page 14, *Making the Connection - Using GRI G4 Guidelines to Communicate Progress on the UN Global Compact Principles*, Global Compact and GRI.)

Materials

- *Guiding Principles on Business and Human Rights for implementing the UN “Protect, Respect and Remedy” Framework*. Full text of the document available at www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf.
- Report of the Special Representative of the Secretary General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie - *Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework*. A/HRC/17/31, 21 March 2011.
- United Nations, *The Corporate Responsibility to Respect Human Rights – an Interpretative Guide*, New York/Geneva 2012, HR/PUB/12/02. Full text available at www.ohchr.org/Documents/Publications/HR.PUB.12.2_En.pdf.