

Business and Human Rights in Asia: Trends and Challenges

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HURIGHTS OSAKA

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Domestic activities

- Translated the UN Guiding Principles on Business and Human Rights into Japanese and made it available in its website;
- Published a booklet, a CSR Guidebook on business and human rights as well as an 'e-learning' kit as training material in corporate training; and
- Hold seminars on business and human rights to raise awareness on the issues.

人を大切に
人権から考えるCSRガイドブック(第三版)

About HURIGHTS OSAKA

Domestic activities

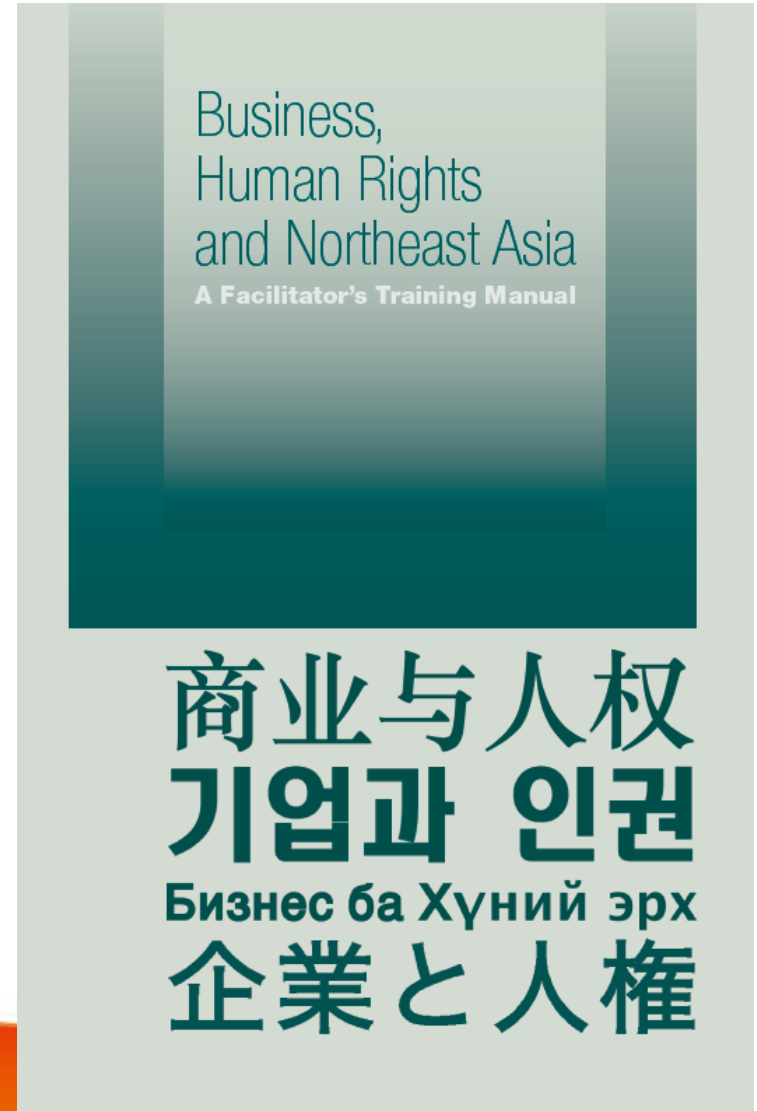
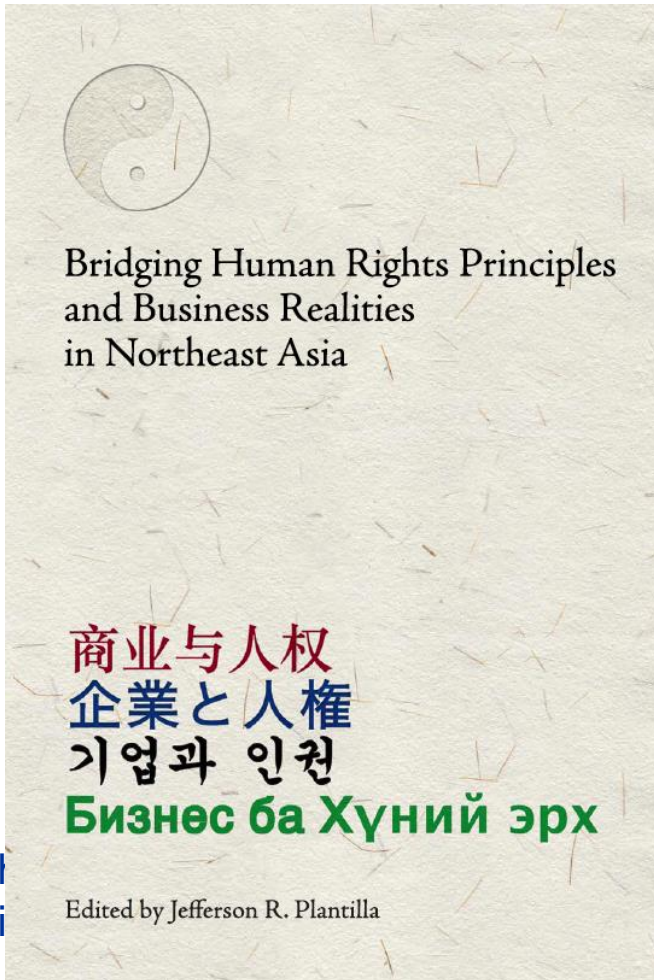
**Guide material
and e-learning
module**



Regional Project

- Undertook **research** on business and human rights in Japan in partnership with counterparts in Korea, China and Mongolia;
- **Published** a research report and a **training material** for Northeast Asia;
- **Co-organized seminars and workshops** on business and human rights in other countries in collaboration with the Asian Consortium on Human Rights Based Access to Justice (HRBA2J-Asia)

Regional project - Business, Human Rights and Access to Justice



Basic issues

- A new international framework has attracted significant attention in Asia but has remained unknown to many stakeholders
- While the framework is new, the relevant problems are old and remain largely unresolved
- There are encouraging initiatives that involve different stakeholders

The BHR framework as the proverbial can of worms – once opened, many issues come out that should be addressed in a slightly different way.

The proposal to use the Sustainable Development Goals (SDGs) as platform of UNGP implementation is a good idea to explore.

(Regional Workshop on Business and Human Rights - 1-2 June 2017, Bangkok)

See the Sustainable Development Goals Fund for more discussion on this - www.sdgfund.org/universality-and-sdgs

Developments

Law reform

- Changes in the environmental laws in China and Mongolia
- Changes in law on foreign employment/migrant workers in Nepal (Foreign Employment Act 2008, bilateral agreements with some countries)
- Changes in corporate laws in India (especially after the disastrous Bhopal gas leak disaster in 1984)
- Review of laws in the Philippines to highlight or strengthen BHR elements

Developments

National Action Plans

- Weak government response/leadership
- Support from the NHRIs – Malaysia, Thailand, the Philippines and Korea
- Role of stakeholders – companies, communities, NGOs, academe

Problem of adopting NAP

Issues included in the SUHAKAM BHR NAP proposal:

- Rights of migrant workers;
- Gender pay gap in the private sector;
- Sexual harassment at the workplace;
- Implementation of hydroelectric and reservoir dam projects in Sarawak;

SUHAKAM BHR NAP project issues:

- Corporate social responsibilities of logging and plantation companies in Sarawak;
- Impact of a Free Trade Agreement (FTA) and Trans-Pacific Partnership (TPP) on human rights in Malaysia; and
- National Inquiry into the land rights of Indigenous Peoples

(Source: Workshop on Business, Human Rights and Access to Justice - Report on Workshop Proceedings, April 2017, HRBA2J-Asia)

New areas of work

BHR and

- **Persons with disabilities** - equal treatment
- **Refugees** - employment opportunities (UNIQLO, Japan)
- **Indigenous peoples** – ancestral domain, intellectual property rights (Philippines, Malaysia)
- **Local herders** and environmental exploitation (mining operations in Mongolia)

Regional Strategy to Promote Corporate Social Responsibility and Human Rights in ASEAN

Supporting institutions;

- ASEAN Intergovernmental Commission on Human Rights (AICHR)
- ASEAN CSR Network, Human Rights Resource Centre for ASEAN and the universities in ASEAN

New Areas of Interest:

Local governments

Local initiatives

– Mongolia

- local government has power to enforce laws at local level

Local autonomy on managing natural resources and developing industries

- both negative and positive impact

Challenges

- **Continuing reports of human rights abuses by companies** (UNIQLO in China, Samsung in Vietnam)
- **Cross-border issues** - particularly the exploitation of migrant workers
- **New big projects - infrastructure development** - such as world sports events (Tokyo Olympics 2020), One Belt, One Road
 - **Missing stakeholder** - most **SMEs** still not involved in UNGP nor informed, and UNGP needs adjustment to their situation – be they be part of supply chain or independent enterprises

Challenges

- **Corporate audit** – beyond the checklist requirement
- **Role of trade unions** – problems of independent unions in China, weak unions in Malaysia
- **Role of NHRIs** - power to make governments move
- **Good laws, bad implementation** - especially in holding companies accountable
- **Role of international organizations**
- **National Contact Point** - effectiveness issue

Challenges

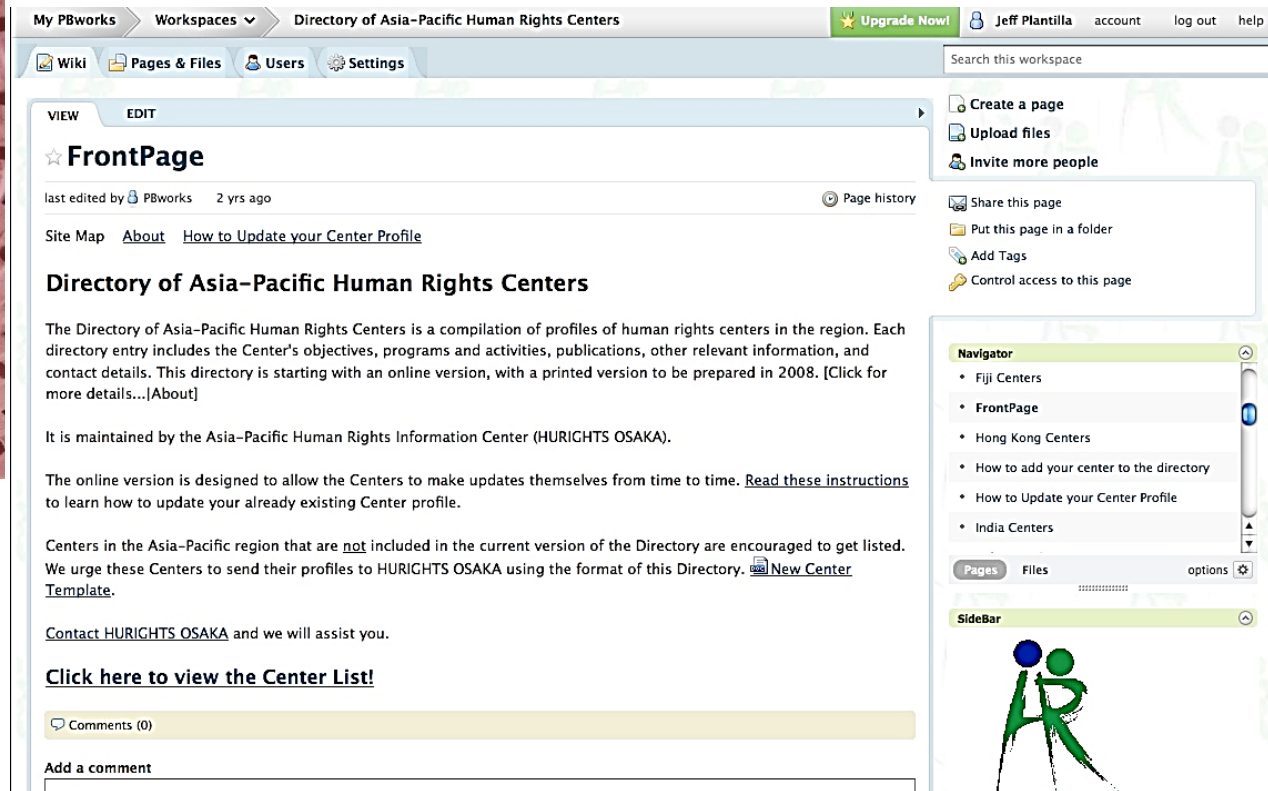
- **Human rights education** - very much needed by **ALL** stakeholders
 - A need even for those who are already involved in many related issues (People and Profits report), and echoed by recent ASEAN conference (June 2017)
 - Include continuing review of educational initiatives of companies - which should translate into new corporate culture (Dentsu case - death due to overwork)
 - Need to promote conflict resolution mechanisms (supporting Pillar 3)

Other players: Human rights centers

DIRECTORY
OF
ASIA-PACIFIC HUMAN RIGHTS CENTERS
Second Edition

HURIGHTS OSAKA

http://www.hurights.or.jp/archives/other_publications/



The screenshot shows a PBworks workspace page. The title is "Directory of Asia-Pacific Human Rights Centers". The page content includes:

- Navigation: My PBworks, Workspaces, Directory of Asia-Pacific Human Rights Centers, Upgrade Now!, Jeff Plantilla, account, log out, help.
- Tools: Wiki, Pages & Files, Users, Settings, Search this workspace.
- Actions: Create a page, Upload files, Invite more people, Share this page, Put this page in a folder, Add Tags, Control access to this page.
- Content:
 - VIEW EDIT
 - ☆ FrontPage
 - last edited by PBworks 2 yrs ago
 - Page history
 - Site Map About How to Update your Center Profile
 - Directory of Asia-Pacific Human Rights Centers**
 - The Directory of Asia-Pacific Human Rights Centers is a compilation of profiles of human rights centers in the region. Each directory entry includes the Center's objectives, programs and activities, publications, other relevant information, and contact details. This directory is starting with an online version, with a printed version to be prepared in 2008. [Click for more details...][About]
 - It is maintained by the Asia-Pacific Human Rights Information Center (HURIGHTS OSAKA).
 - The online version is designed to allow the Centers to make updates themselves from time to time. [Read these instructions](#) to learn how to update your already existing Center profile.
 - Centers in the Asia-Pacific region that are not included in the current version of the Directory are encouraged to get listed. We urge these Centers to send their profiles to HURIGHTS OSAKA using the format of this Directory. [New Center Template](#).
 - [Contact HURIGHTS OSAKA](#) and we will assist you.
 - [Click here to view the Center List!](#)**
- Comments (0)
- Add a comment

On the right side, there is a Navigator panel with a list of items: Fiji Centers, FrontPage, Hong Kong Centers, How to add your center to the directory, How to Update your Center Profile, India Centers. Below the Navigator is a SideBar with a logo of two stylized figures.

<http://hurights.pbworks.com/w/page/11947500/FrontPage>

Thank you

