

## Advocates for International Development

### Business and Human Rights Bulletin

6 November 2017

#### India

##### **Launch of a new joint UN-IHRB report on tackling LGBTI discrimination in the work place**

A new report, published by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in collaboration with The Institute for Human Rights and Business (IHRB), presents guidelines for the private sector to respect the rights of all workers, including those who identify as Lesbian, Gay, Bisexual, Transgender and Intersex. At the Mumbai launch, hosted by the Indian conglomerate Godrej on October 12, Fabrice Houdart, Human Rights Officer, OHCHR, emphasised the economic as well as human cost of excluding LGBTI people, with discrimination costing the Indian economy \$32 billion a year. The report sets out five key Codes of Conduct: respect human rights, eliminate discrimination, provide support, prevent other human rights violations and act in the public sphere

Full report: <https://www.unfe.org/standards-2/>

##### **India Responsible Business Index 2017**

The India Responsible Business Index (IRBI) 2017 ranks the top 100 BSE-listed companies on their performance on five parameters—inclusive supply chain, community as stakeholders, community development, employee dignity and human rights and non-discrimination at the workplace. While the 2017 Index, a collaborative effort of non-profits—Oxfam India, Corporate Responsibility Watch, Praxis and Partners in Change—illustrates some positive improvements, it foremost highlights the significant progress yet to be made by corporations in translating the UN Guiding Principles on Business and Human Rights into concrete policies and practices.

<http://www.livemint.com/Companies/3bTodoRzklIuq20saQoInO/Companies-turning-more-responsible-but-still-a-long-way-to.html>

IRBI 2017 Data: [http://www.responsiblebiz.org/irbf\\_index/](http://www.responsiblebiz.org/irbf_index/)

##### **State of Corporate Responsibility in India 2017 Report**

This report, which is the second edition of the CSR in India series, focuses on compelling companies to go beyond the mandated two per cent CSR spend and examine how the profits are made, rather than how they are being spent. Building on analyses of the Business Responsibility Reports and publicly available information, the authors have examined the ground realities of CSR practices through the lens of labour reform, workers' rights and current trends within the policy environment.

Full report: [http://www.corporatewatch.in/images/Corporate\\_Responsibility\\_in\\_India\\_2017\\_webversion.pdf](http://www.corporatewatch.in/images/Corporate_Responsibility_in_India_2017_webversion.pdf)

#### Asia Pacific

##### **Bangladesh Accord test case allowed to proceed against 2 fashion brands**

The first case of the Accord's accountability mechanism has been allowed to proceed by the Permanent Court of Appeal (PCA). IndustriALL Global Union and UNI Global Union brought the case against 2 fashion brands, whose names remain

confidential, accused of failing to compel their suppliers to improve their facilities within the mandated timeframes as set out within the Accord on fire and building safety. Among other issues raised, this test case has highlighted the difficulties of operationalising a grievance mechanism at the international level.

<https://business-humanrights.org/en/permanent-court-of-arbitration-accepts-complaints-against-global-fashion-brands-for-alleged-violation-of-bangladesh-accord-on-fire-building-safety>

## **International**

### **UN Working Group Report on Human Rights and Access to Remedy within Transnational Corporations**

In the report, the Working Group on the issue of human rights and transnational corporations and other business enterprises unpacks the concept of access to effective remedies under the Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework. A key message is that affected rights holders should be able to claim what may be termed a “bouquet of remedies” without fear of victimization. When presenting the expert Working Group report to the UN General Assembly in New York on 17 October, Surya Deva, Chairperson of the Working Group, stressed that “victims must be at the centre of the mechanisms that are meant to provide them access to effective remedy. Yet this is often far from reality,”

Full report: <http://undocs.org/A/72/162>

### **UN High Commissioner for Human Rights delivers his opening message to the Open-ended Intergovernmental Working Group on Trans-National Corporations and Human Rights**

On 23 October, Zeid Ra'ad Al Hussein, UN High Commissioner for Human Rights, opened the third session of the expert Working Group by welcoming progress towards the creation of an international legally binding instrument to regulate international human rights law, the activities of transnational corporations and other business enterprises. During the third session, 23 – 27 October, experts discussed a document drawing together the elements for this treaty.

Opening address: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22275&LangID=E>

### **International Bar Association Handbook on Business and Human Rights for Lawyers**

Following publication of a Practical Guide on Business and Human Rights for Business Lawyers in 2016, the International Bar Association (IBA) is developing a comprehensive handbook for lawyers. This handbook will address the potential human rights impacts of legal advice across the spectrum of legal practice areas and include an examination of the roles and responsibilities of lawyers in helping companies to develop ethical global supply chains. The first stage of the work, focusing on Corporate M&A and Commercial Transactions, has recently been published online.

IBA Handbook (including Chapters 1 and 2 on Corporate M&A and Commercial Transactions):

<https://www.ibanet.org/Handbook-for-lawyers/Introduction.aspx#about>

### **Sustainable Sourcing & Grievance Mechanisms for the Tokyo 2020 Olympic & Paralympic Games**

On 13th September 2017, the [Mega-Sporting Events Platform for Human Rights](#) (MSE Platform), IHRB, and [Caux Roundtable Japan](#) convened a workshop on the implementation of the Tokyo 2020 organising committee's (TOCOG) [Sustainable Sourcing Code](#) published in March 2017, as well as emerging plans for an associated grievance mechanism. The MSE Platform aims to help the collective efforts between TOCOG and sponsor companies to respect human rights, in accordance with the UN Guiding Principles, by specifically focussing on three subjects of significance: human rights risks, best practices, and grievance mechanisms.

<https://www.ihrb.org/news-events/news-events/sustainable-sourcing-grievance-mechanisms-tokyo-2020>