



# Awareness-raising workshop on Human rights and environmental due diligence

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2024 February 23<sup>rd</sup>

Hops

2:00 PM – 5:00 PM



FABRIC Cambodia



# Agenda

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14:00-14:05

Welcome & introduction

14:05-14:20

What are human rights

14:20-15:00

History facts and the UNGP

15:00-15:15

Coffee break

15:15-16:00

HREDD

16:00-16:30

RBH

16:30-17:00

Q&A



# Trainer background

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Bachelors in Communication and Masters in Human Resources Management, post degree in Public Administration

## **Public Manager within the Romanian Government 7 years**

Public Policy Department and Anti-corruption Department

Writing public policies, strategies, action plans, internal control management system of the ministry, standards, procedures, risk management, implemented EU financed projects, trainings, coordinated governmental groups etc.

## **Senior Supplier Code of Conduct auditor within a private company 5 years**

Focus of the Supplier Code of Conduct is to check the company's supplier's compliance with the Human and Labor Rights, Health and Safety, Anti-corruption, Compliance and Environment

Human rights: freedom of association and collective bargaining, child labor and juvenile workers, grievance and discipline practice, forced labor-bound contract, discrimination, etc.

Environment: environmental management system or similar (ISO 14001 for ex.), environmental aspect lists, pollution measurement (CO2), energy, water, transport and hazardous materials and waste handling

[SA 8000](#) certified auditor and others



## Is this a human right?

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- ✓ 1. Right to food
- ✓ 2. Right to be forgotten by Google
- ✗ 3. Right to have fun
- ✓ 4. Right to freedom of movement
- ✓ 5. Right to marry someone of the same sex
- ✗ 6. Right to have a cocktail or mocktail on a weekend

# Human rights principles

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Universality - Equality - Indivisibility - Non-discrimination - Interdependence



## Some history facts

International  
Labor  
Standards



1919

ILO Constitution

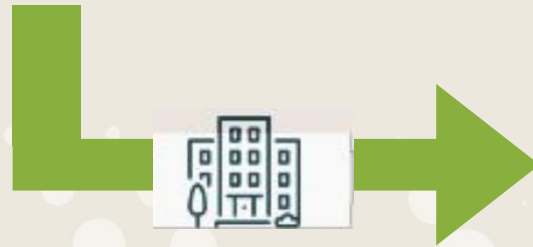
International  
Bill of Human  
Rights

1948

Universal Declaration of Humans Rights

1966

International Covenant on Civil & Political Rights  
International Covenant on Economic, Social & Cultural Rights



Globalisation

2011

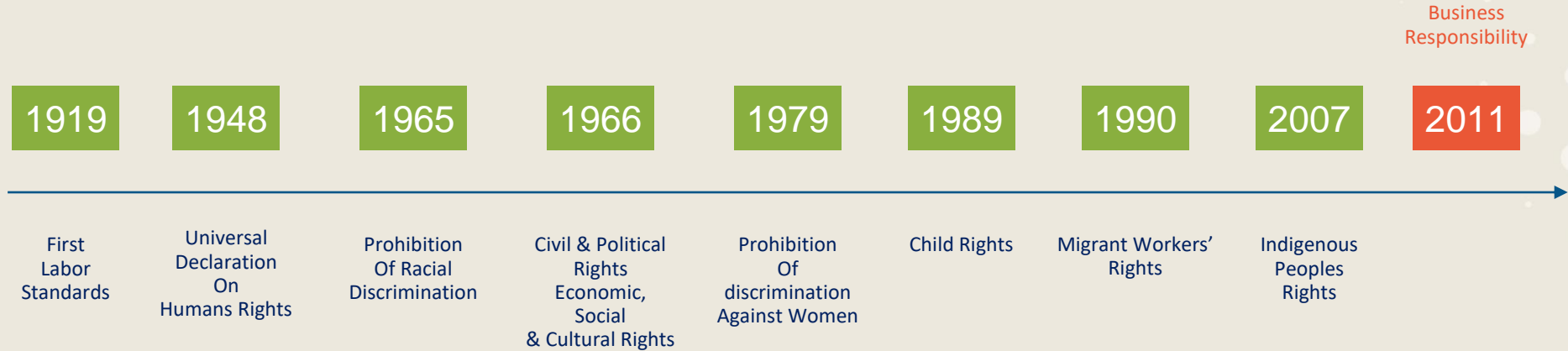
The United Nation Guiding Principles On Business & Humans Rights (UNGPs)



RESPONSIBLE  
BUSINESS HUB  
CAMBODIA  
RBH NETWORK



# A more detailed history of development



# Labor rights ILO

ILO - 5 topics



Forced Labour



Freedom of Association & Collective Bargaining



Freedom From Discrimination



Child Labour



Occupational Health & Safety



# Type of Rights

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Human rights are basic rights & freedoms for everyone based on dignity, fairness, equality & respect



**Labor Rights**  
Working hours, health & safety,  
living wage, prohibition of forced  
labor & child



**Civil & Political Rights**  
Freedom of expression, freedom of  
assembly, property rights, freedom  
of religion



**Economic, Social & Cultural Rights**  
Rights to education, rights to  
health, rights to water & sanitation,  
housing



**Vulnerable Groups**  
Women, migrant workers & their  
families, children's indigenous  
peoples

# Evolution of Business and Human Rights

From expectations to increasing legislation

2000

## EXPECTATIONS

UN Global Compact, early 2000

NGO triggered expectations

Owners, Governments,  
Credit Granters, Customers & Other  
Stakeholders start discussion  
around it.

2011

## SOFT LAW

[UN Guiding Principles on Business & Humans Rights](#), 2011

[OECD Guiding Principles for Multinational Enterprises on Responsible Business Conduct, revised in 2023](#)

2015 - Present

## LEGISLATION

Initiatives & Legislation in a range of countries: Australia, France, Germany, Netherlands; Norway, Switzerland, etc.

Upcoming EU corporate sustainability due diligence directive.



## The story of the UN Guiding Principles on Business and Human Rights

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The collapse of the Soviet Union in early 1990s accelerated a high increase in globalized trade.



The global trade has raised the standard of living, but many were cut off from the benefits of development and suffered human rights harm.



First articulations of human rights in international declarations and conventions were primarily addressed to states/governments. However, business enterprises had become involved in human rights harm.

## The story of the UN Guiding Principles on Business and Human Rights

Yahoo's revealing to Chinese authorities the names of a customer who was then imprisoned for reporting on public unrest.



## The story of the UN Guiding Principles on Business and Human Rights

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Businesses responded to claims in their involvement in human rights abuses in various ways, including by voluntary initiatives and self-regulations.

Such efforts under the umbrella of CSR initiatives, grew out of corporate philanthropy.

Typical examples of CSR initiatives include:

Voluntary standards and verification schemes,  
Company supplier codes of conduct  
collective, multistakeholder,  
and public-private initiatives.

However, civil society viewed CSR suspiciously, because it is not legally binding, allowing companies to improve their reputation while avoiding real accountability for their involvement in behaviour that harms human rights.

They lobbied for better enforcement of existing laws, stronger laws, and a global framework of legal accountability. This generated a bitter debate between businesses and civil society over voluntary versus mandatory standards.



## The story of the UN Guiding Principles on Business and Human Rights

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2003

A UN sub-commission approved Norms on the Responsibilities of Transnational Corporations, which would have imposed on companies, within their undefined sphere of influence, the same binding human rights obligations that States had assumed under treaties that they had ratified.

Civil society supported these norms, business associations resisted them, and States stayed mostly silent.

2005

UN Secretary General Kofi Annan appointed Harvard Kennedy School Professor John Ruggie as his Special Representative on Business and Human Rights. Anan asked him to create a framework that would outline the respective responsibilities of States and businesses on human rights.



2005  
2011

6-year process of consultations, research and pilot projects. He concluded that there is a governance gap in which the global society lacked the capacity to deal with business-related human rights harm. Voluntary initiatives and self-regulation were ineffective by themselves to address the problem globally.



# The story of the UN Guiding Principles on Business and Human Rights

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## 31 principles

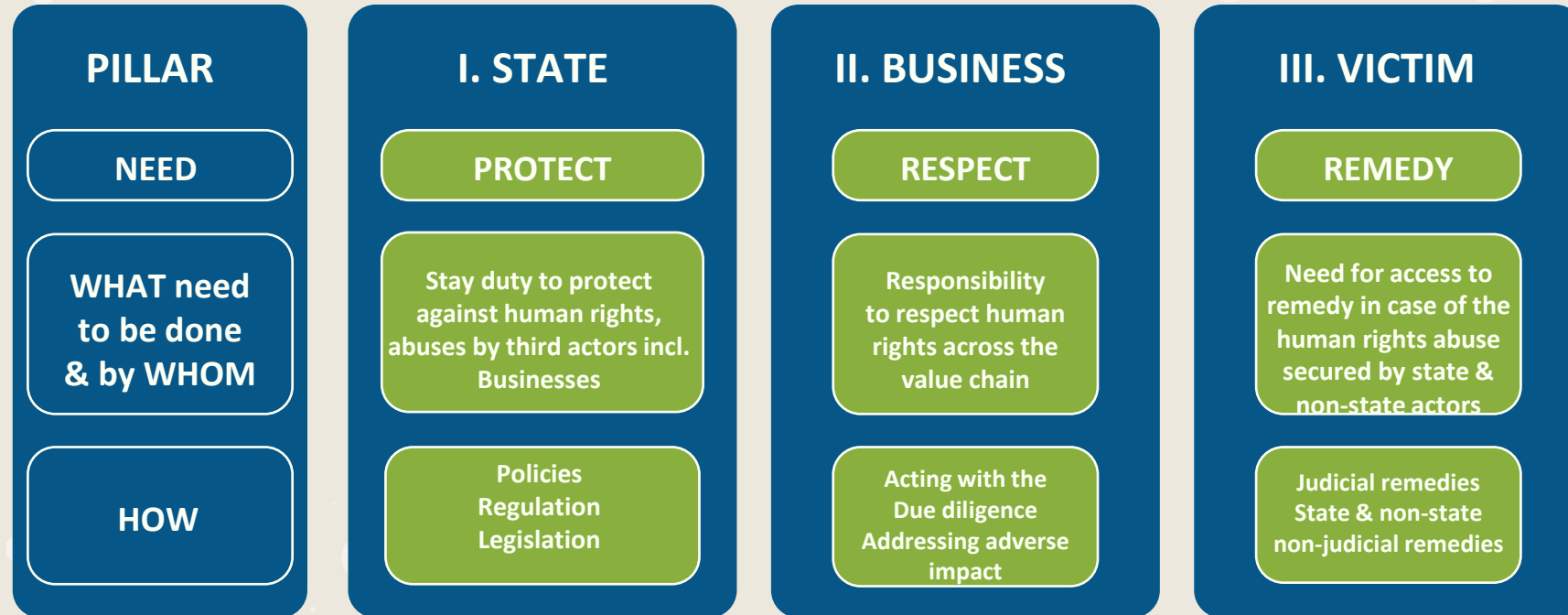
**Pillar 1:** The State duty to protect human rights

**Pillar 2:** The Corporate responsibility to respect human rights

**Pillar 3:** Access to Effective Remedy



# The story of the UN Guiding Principles on Business and Human Rights





## Business responsibility for human rights under UNGP

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### UNGP 11

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.



## Expected business conduct

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### KNOW AND SHOW

A company should:

**KNOW:** have systems in place to find issues and address the impacts (policy, human rights due diligence, grievance and remediation)

**SHOW:** be transparent to stakeholders



## Commitment to respect human rights

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- Commit to respect human rights
- International standards
- Approved by highest level
- Stipulate expectations to business partners
- Communicate expectations internally and externally



## Human Rights Due Diligence

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It's a continuous process  
No one size fit all management system  
In should reflect the severity of the impact

[UNGP 17 Human Rights Due diligence](#)



# Human Rights Due Diligence

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**Human Rights Due Diligence is like any risk management process?**

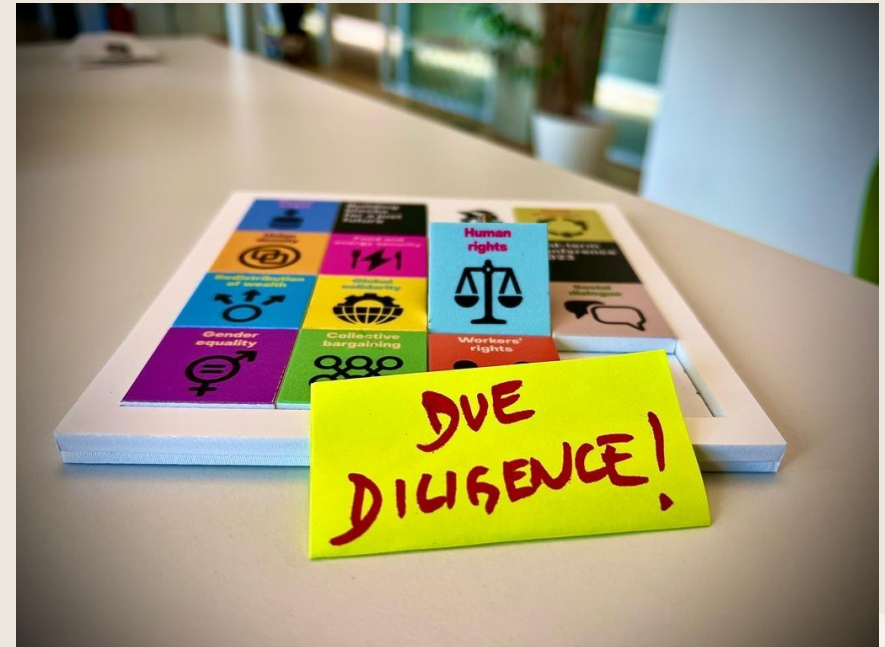
**Some key differences:**

HRDD is a risk assessment process that focuses on impacts on people instead of risks to business

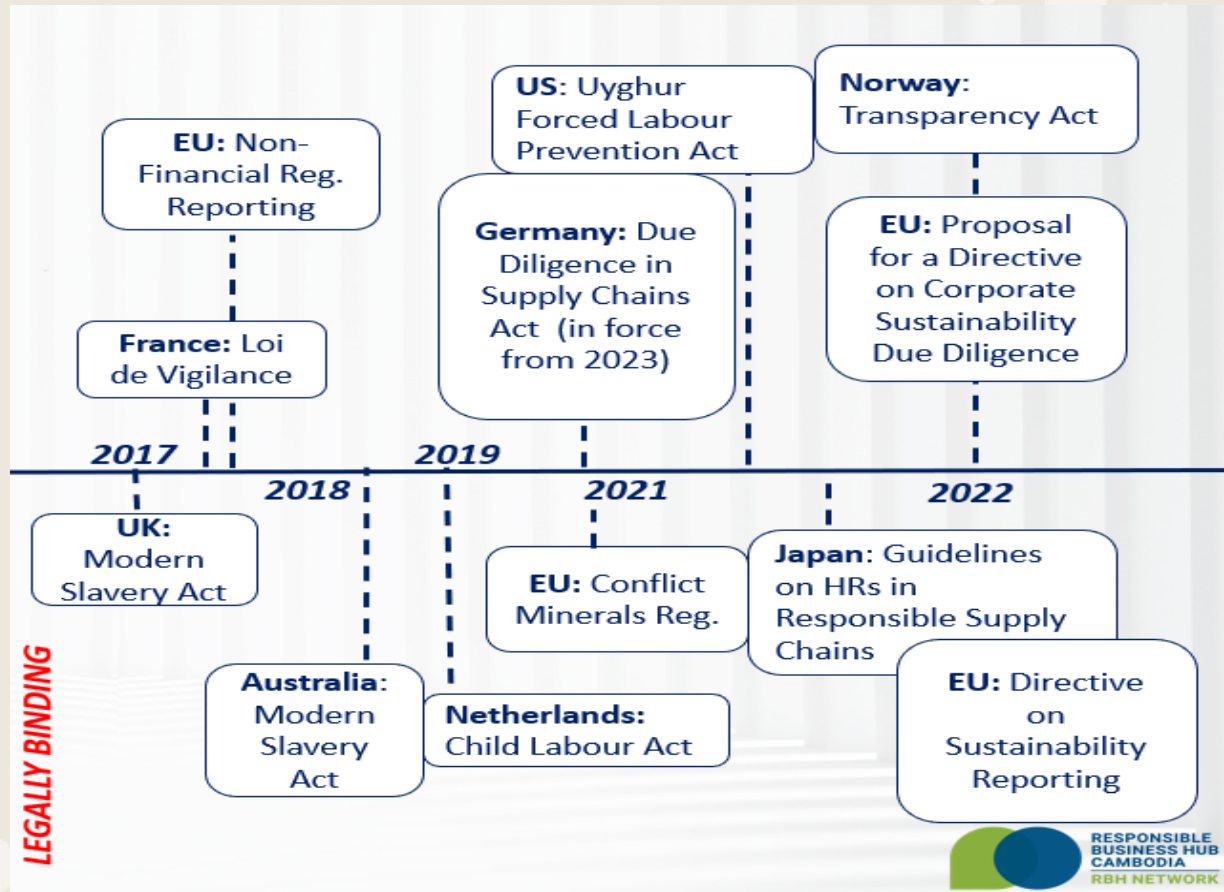
Priority to most severe impacts

HRDD is a risk management process where consultation with stakeholders is an intrinsic part of the risk management

HRDD requires you to aspire to international standards, even if in conflict with domestic law.



## HREDD national Directives and laws in force or forthcoming or under development - EU



## Mandatory Due Diligence Legislations: general aspects

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Aligned with the UN Guiding Principles on Business and Human Rights (2011) and OECD Guidelines for Multinational Enterprises



Examples of companies' obligations: Integrate Due Diligence into company policies and management systems. Responsibility to protect human rights and environment across value chains. Risks assessment. Reporting duties.

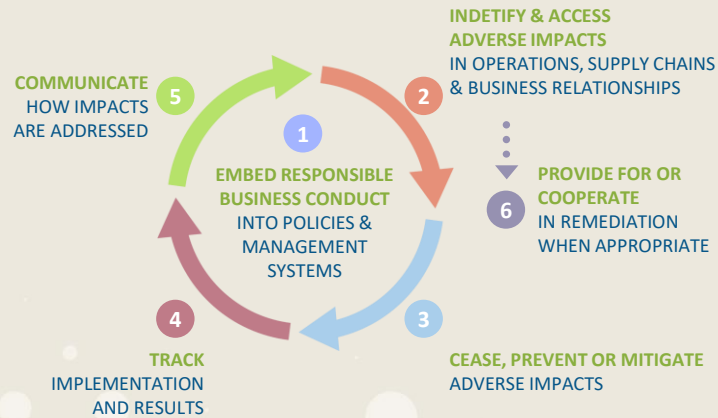


Enforcement - Failure to comply with new requirements – in whole or in part – will leave your business vulnerable to a range of consequences (e.g. economic sanctions, civil liability, divestment, compensation for victims, damages in reputation).

# What is HREDD?

“a continuous process to help enterprises identify risks relating to human rights, labour rights and the environment with a view to ending, preventing or mitigating those risks.”

Source: OECD



## What is HREDD good for?

- ✓ Awareness about risks
- ✓ Tools to prevent and mitigate HRs violations and environmental damage
- ✓ Channel for employees to raise their concerns
- ✓ Improvement of sustainability performance and resilience
- ✓ Better working and living conditions for people



## Some elements that might be in place in a company

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Human rights statement, labour or human resources policy, code of conduct, supplier code of conduct, environmental management system, occupational, health and safety system

Regular impact auditing

Workers' trainings, Management trainings

Grievance mechanisms

Workers' surveys

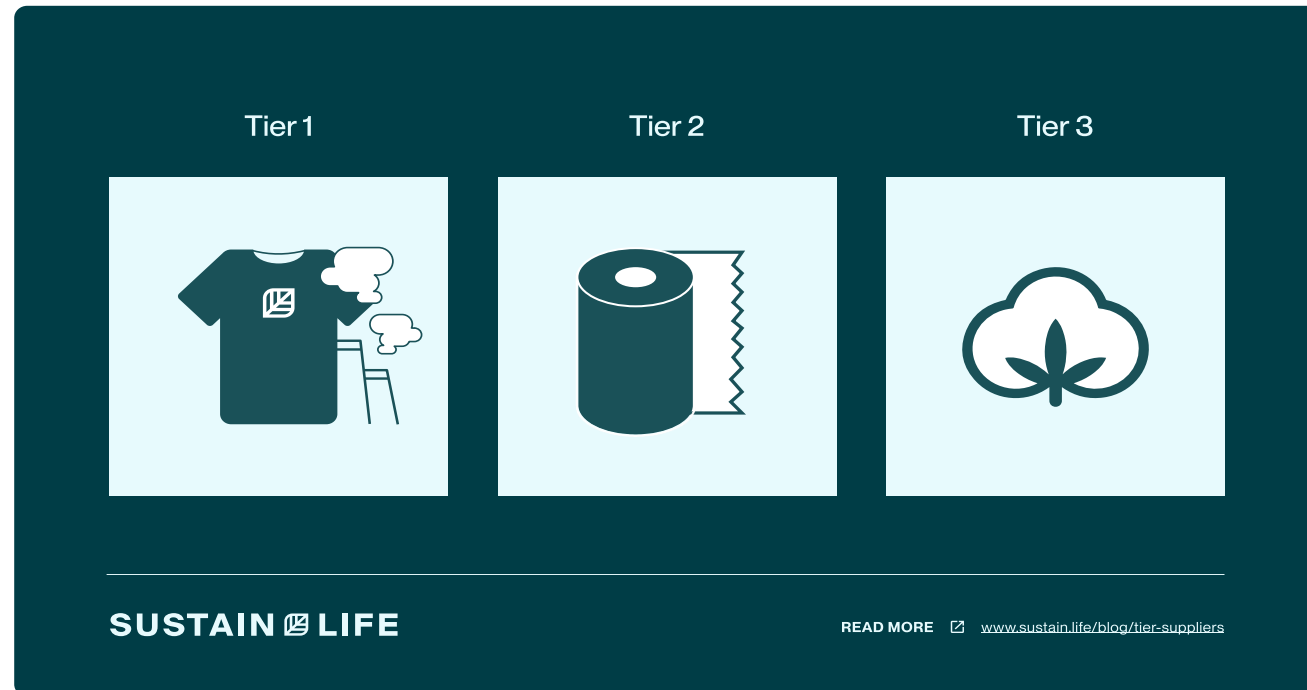
Annual report



## Supply chain management-the mapping

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Understanding your suppliers is also a big step towards human rights and environmental due diligence and social responsibility.



## Example of potential risks in the garment sector according to CGTI

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### Human rights risks

- Forced labour & human trafficking
- Child labour
- Discrimination & gender
- Sexual harassment and gender-based violence
- Occupational health & safety
- Wage & remuneration
- Freedom of association
- Trade unions & collective bargaining
- Labour conditions (contracts, working hours)
- Land use & property

### Environmental risks

- GHG emissions & climate change
- Biodiversity & deforestation
- Water use & water availability
- Soil & (ground)water contamination
- Waste & hazardous chemicals

# EU Corporate Sustainability Due Diligence Directive (CSDD)

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A **shift** in responsible business legislation and a **mirror** of some of the latest national developments in this area

## What is it?

- ✓ On 23 February 2022.
- ✓ The Directive sets out EU standards for human rights and environmental due diligence (HREDD) to be adopted by all EU member states to foster businesses' contribution to the respect of HR&E in their own operations and supply chains inside and outside Europe.
- ✓ Heavily based on OECD guidelines and UNGPs.

## When the Directive will be effective?

- ✓ Approval expected in mid 2024
- ✓ Implementation expected by early 2026



# EU Corporate Sustainability Due Diligence Directive (CSDD)

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## Who will the Directive apply to?

### EU Companies

Group 1: more than 500 employees and a net worldwide turnover of more than EUR 150 million; or

Group 2: more than 250 employees and a net worldwide turnover of more than EUR 40 million—provided that at least 50% of this net turnover was generated in a “high-risk” sector (which includes textiles, clothing and footwear, agriculture, forestry, fisheries, food and extractives).

### Non-EU Companies

The Directive has **extraterritorial effect**.

Companies (and subsidiaries) active in the EU but without a physical presence with turnover threshold aligned with Group 1 and 2, generated in the EU.

For companies in Asia that are not "in scope" but are part of the supply chain of a company with an EU nexus, they will need to consider how the Directive would indirectly affect them.



## HOW the RBH was born



TO IMPROVE THE ABILITY OF SUPPLIERS  
BASED IN CAMBODIA TO ADAPT AND COMPLY  
TO THE NEW REGULATIONS

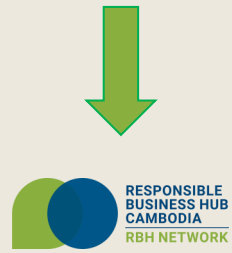
FABRIC Cambodia

support

EUROCHAM  
CAMBODIA

collaboration

TAFTAC  
Textile, Apparel, Footwear And Travel Goods Association in Cambodia



EUROCHAM  
CAMBODIA

# Responsible Business Hub

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Free support desk

Large variety of services on responsible business practices

Part of RBHs global Network



## Support the Private Sector

Support the private sector to prepare for new sustainability regulations and improve HREDD capacity. Main focus on exporting sector



## Elevating HREDD Awareness

Creating industrywide awareness about HREDD and related obligations.



## Enhance Data Transparency

Enhance data transparency related to sustainability progresses achieved in Cambodia

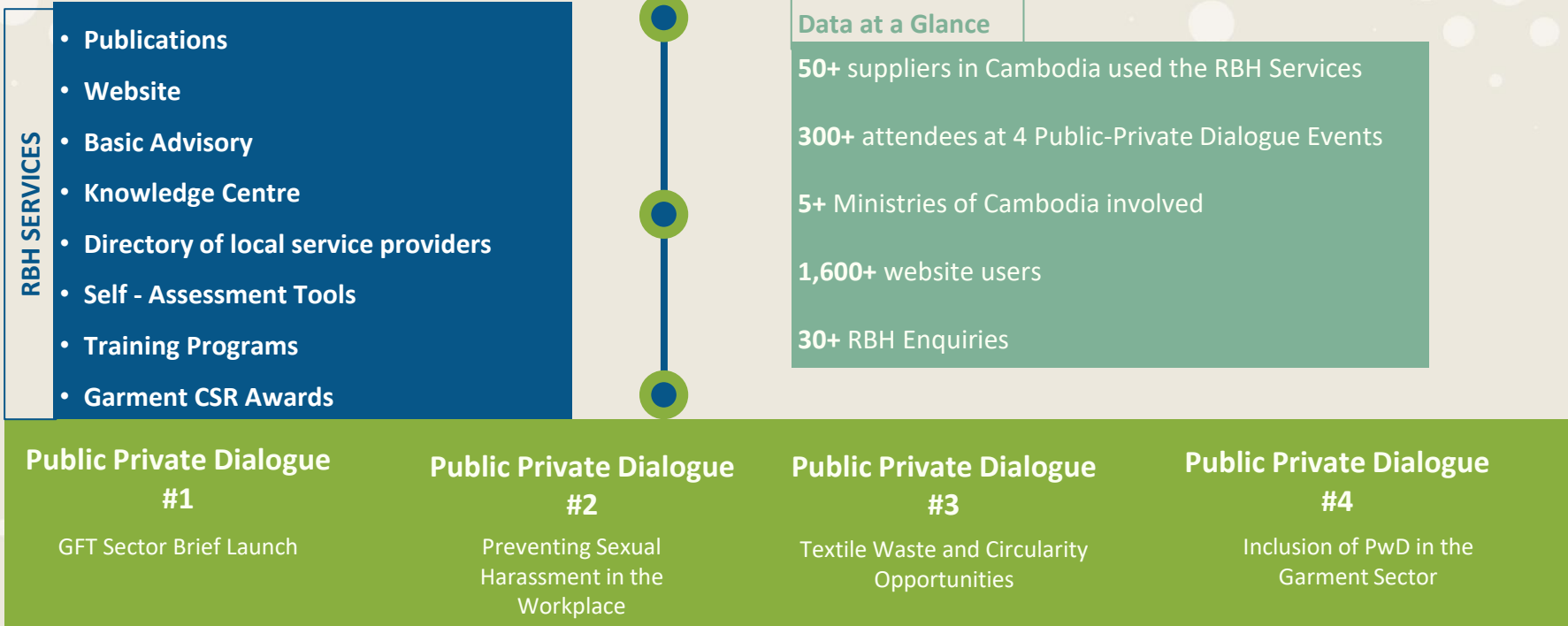


## Fostering Collaborative Networks

Bringing stakeholders together to strengthen HREDD efforts through collective action and shared resources.



## Key Achievements & Services





# Plan for 2024

- RBH SERVICES**
- Publications
  - Website development
  - Basic Advisory , develop consultant database and train
  - Knowledge Centre
  - Directory of local service providers
  - Self - Assessment Tools / new questionnaire
  - 4 Training Programs



## What is new

Working with all the Committees with the objective to identify the needs and interest into RBH services and also prioritize the most relevant committees to work with this year for RBH

Develop a strategy for the sustainability of RBH post GIZ grant together with the Services Department.

