

# Contents

<b>Preface</b> .....	ix
<b>Chapter 1 The Evolving Relationship of Business and Human Rights</b> .....	1
What Are Human Rights? .....	3
Who Is Responsible for Human Rights? .....	5
What Is the Scope of a Businesses' Human Rights Duties and Obligations? .....	7
Corporate Social Responsibility .....	10
Governmental Actions .....	12
Small- and Medium-Sized Enterprises .....	13
Additional Issues and Considerations .....	15
<b>Chapter 2 International Human Rights Law</b> .....	19
What Is Human Rights Law? .....	19
Development of Legally Binding Human Rights Standards .....	21
Universal Declaration of Human Rights .....	24
International Bill of Human Rights .....	28
Additional Core UN International Human Rights Treaties .....	31
International Labor Standards .....	32
Regional Human Rights Bodies and Instruments .....	33

<b>Chapter 3</b>	<b>Business and Human Rights Initiatives of Governmental and Intergovernmental Bodies</b> . . . . .	35
	Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy . . . . .	36
	OECD Guidelines for Multinational Enterprises . . . . .	36
	UN Global Compact . . . . .	37
	UN Guiding Principles . . . . .	40
	Proposed UN Business and Human Rights Treaty . . . . .	53
	UN Sustainable Development Goals . . . . .	56
	Multi-Stakeholder Initiatives . . . . .	58
	Domestic Legislation . . . . .	64
<b>Chapter 4</b>	<b>Businesses' Impacts on Human Rights</b> . . . . .	67
	Working Conditions . . . . .	71
	Discrimination and Vulnerable Groups . . . . .	73
	Environment . . . . .	74
	High-Risk and Conflict-Affected Areas . . . . .	76
	Land . . . . .	79
	Human Rights Considerations in Common Business Transactions . . . . .	80
	Working with Governments . . . . .	80
	Joint Ventures . . . . .	81
	Financings . . . . .	82
<b>Chapter 5</b>	<b>Embedding</b> . . . . .	85
	Governance and Management . . . . .	86
	Operations . . . . .	89
	Strategy . . . . .	93
	Commitments . . . . .	98
	Performance Targets . . . . .	100

Processes and Procedures . . . . .	101
Training and Performance Reviews . . . . .	103
Communications and Reporting . . . . .	105
Reviewing and Improving . . . . .	106
<b>Chapter 6 Human Rights Policies . . . . .</b>	<b>109</b>
Reasons for Developing a Human Rights Policy . . . . .	110
Practical Steps for Developing a Human Rights Policy . . . . .	111
Elements of a Good Human Rights Policy . . . . .	114
Commitment to Respect Internationally Recognized Human Rights Standards . . . . .	116
Provisions on Human Rights for Workers . . . . .	117
Provisions on Non-Labor-Related Human Rights Issues . . . . .	117
Ancillary Policies and Procedures . . . . .	118
Principles of Social Responsibility . . . . .	120
Principles of Responsible Purchasing . . . . .	121
<b>Chapter 7 Assessment of Human Rights Impacts . . . . .</b>	<b>125</b>
Identification of Human Rights Impacts . . . . .	130
Engagement and Consultation . . . . .	138
Developing a Human Rights Risk Management Process . . . . .	139
Assessing the Human Rights Impact . . . . .	142
Prioritizing Severe Human Rights Impacts . . . . .	150
Continuous Process . . . . .	153
<b>Chapter 8 Integration . . . . .</b>	<b>155</b>
The Company's Connection to Human Rights Impacts . . . . .	159
Leverage . . . . .	166
Disengagement . . . . .	171

<b>Chapter 9</b>	<b>Measurement and Tracking</b> . . . . .	175
	Developing and Implementing Tracking Processes . . . . .	177
	Selecting Indicators . . . . .	178
	Tracking Performance of Business Relationships . . . . .	181
	Feedback from Internal and External Sources . . . . .	181
	Verification . . . . .	185
	Improving Processes and Performance . . . . .	185
<b>Chapter 10</b>	<b>Communications and Reporting</b> . . . . .	187
	UN Guiding Principles Reporting Framework . . . . .	190
	PART A: GOVERNANCE OF RESPECT FOR HUMAN RIGHTS . . . . .	192
	PART B: DEFINING THE FOCUS OF REPORTING . . . . .	193
	PART C: MANAGEMENT OF SALIENT HUMAN RIGHTS ISSUES . . . . .	194
	Global Reporting Initiative Human Rights Reporting . . . . .	197
	Assurance . . . . .	198
	Accessibility . . . . .	198
<b>Chapter 11</b>	<b>Remediation</b> . . . . .	201
	Remedies . . . . .	203
	Operational-Level Grievance Mechanisms . . . . .	203
<b>Chapter 12</b>	<b>Engagement</b> . . . . .	209
<b>Chapter 13</b>	<b>Rights at Work: Labor Practices and Human Rights</b> . . . . .	221
	UN Instruments . . . . .	222
	International Labour Organization . . . . .	223
	Sustainable Development Goals . . . . .	224
	ISO 26000 Guidance on Social Responsibility . . . . .	226
	Legality and Structure of the Employment Relationship . . . . .	228

Action Plans . . . . .	230
Labor Practices in Supply Chains . . . . .	232
<b>Chapter 14 Responsible Supply Chain Management . . . . .</b>	<b>241</b>
Leverage and Influence in the Supply Chain . . . . .	247
Processes and Tools for Responsible Supply Chain Management . . . . .	251
Monitoring Supply Chain Partners . . . . .	263
<b>Chapter 15 Discrimination and Vulnerable Groups . . . . .</b>	<b>267</b>
Children’s Rights . . . . .	270
Women and Gender Equality . . . . .	273
Racial Discrimination . . . . .	275
Indigenous Peoples . . . . .	277
Older Persons . . . . .	281
<b>Chapter 16 The Role of Lawyers and the Legal Profession in Business and Human Rights . . . . .</b>	<b>289</b>
Practical Guidance for Lawyers and Law Firms . . . . .	294
Law Firm Human Rights Policies and Statements . . . . .	296
Client and Assignment Intake Procedures . . . . .	298
Human Rights Risk Management Plans . . . . .	299
Withdrawing from an Engagement . . . . .	300
Evaluation and Reporting . . . . .	301
Governance and Management of Responsible Business Activities . . . . .	302
Roles of In-House Lawyers and the General Counsel . . . . .	302
<b>Index . . . . .</b>	<b>307</b>
<b>About the Author . . . . .</b>	<b>317</b>