



WHAT ARE HUMAN RIGHTS AND WHY SHOULD BUSINESS LEADERS PAY ATTENTION?

Human rights is one of the hot political topics of our time. The cold war ideological split between civil and political rights (the rights of democracy) and economic, social, and cultural rights (the rights of development) still runs deep, illuminated by the rise of China. Meanwhile, particularly in the UK, the topic has gained notoriety through alarmist media reporting and political sloganeering around the Human Rights Act, and limited understanding among the populace. **Luke Wilde**, Director at TwentyFifty, explains why a business leader would want to engage with such a contentious topic as human rights.

Human rights are basic 'rights' that allow every individual without discrimination the freedom to lead a dignified life, free from fear or want, and free to express independent beliefs. Rights came about to provide protection for ordinary citizens from the powerful. Cue thoughts around popular concerns about the power of large businesses and corporate scandals, such as the death of two old people one winter, when British Gas cut off their gas.

Rights exist simply because we say so. We have declared that they exist and there is something distinctly different when we declare that another has a right – there is a corresponding duty to respect that right. As our understandings of particular

rights evolve, they can be codified in legal documents such as laws against discrimination. Everyone has them, simply because we say so, because they are human so even the most vulnerable - young children, the disabled, the elderly, asylum seekers and traditional or indigenous people - are to be protected and treated as equals.

Our understanding of these rights today comes from the 1948 Universal Declaration of Human Rights (UDHR), which had its genesis in the atrocities of the Second World War. Drafted by an international team, the UDHR is the most widely accepted statement of what our rights are. It is an aspirational document, underpinned by the vision of a peaceful, healthy and equitable society.

The Guinness Book of Records cites it as the world's most translated document and the rights within it have been elaborated in the many international conventions, declarations and standards that have been agreed over the past 50 years and more.

Our human rights are wide-ranging. The UDHR includes, amongst others, the rights to:

- **Life, liberty and security of person** – so we outlaw murder, establish health and safety legislation for the workplace and seek to prevent human trafficking.
- **Recognition before the law** – ensuring that everyone has access to legal proceedings and are treated



COMMUNITY COMMENT

**Gareth Llewellyn, Director,
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“Strip away the title and most companies are tackling the fundamental elements of human rights every working day. When companies sit back and reflect on this area, there are significant opportunities for them to demonstrate the positive impact a well-run company can have – being a ‘force for good’. This article reminds us why human rights are of critical importance for businesses. The Business Leaders Initiative on Human Rights (BLIHR) sets out practical examples of where large multinationals have embraced human rights as a centrepiece of their way of doing business – turning the words into practice.”

equally before the law (equality or non-discrimination is a fundamental principle underlying all human rights).

- **Freedoms of thought, conscience and religion** – are necessary if we are to have innovation and the pursuit of scientific progress.
- **Freedom from torture and inhumane treatment** – businesses can encroach on such rights in very specific situations, perhaps through providing a product that intentionally or otherwise can be used to commit torture. For example, companies that supplied light bulbs to the US prison at Guantanamo, where sleep deprivation has been used, have received criticism. Or, in relation to standards in the care sector, particularly the care of the elderly, where the private sector plays an increasing role, organisations have come under scrutiny in relation to what is humane, and inhumane, treatment.

USEFUL TIPS

1. Read the Universal Declaration on Human Rights
2. Check out the Business and Human Rights Resource Centre website (www.business-humanrights.org) and familiarise yourself with the issues relevant to your industry sector / the countries in which your business operates
3. Ensure that someone in your business is following the work of the UN special rapporteur on business and human rights, and monitoring the many developments at the UN, OECD and the International Finance Corporation, for relevance to your business

- **Freedom from slavery** – slavery remains prevalent with forced labour taking many forms beyond being directed at gun point. For example, the retention of payments, the conversion of recruitment fees into high-interest debts, or the holding of identity documents effectively preventing individuals from leaving their employment, can all be categorised as forced labour.

- **Education, health and social security** – critical rights to business performance, and rights where businesses are increasingly playing a role in their delivery e.g. through private providers of healthcare, the automation and delivery of state benefits, etc.

These examples are already illustrating the relevance of human rights to a variety of aspects of business practices. Often where businesses operate, many rights will be enshrined in law. But even where this is so, it is no guarantee that they will be respected in practice. We only need to think of the deaths of 39 cockle pickers on the sands at Morecambe Bay or the appalling treatment of workers in some of the UK’s meat processing factories as exposed by the Equality and Human Rights Commission enquiry to see this. Overseas, in emerging economies and particularly in those regions beset by conflict, rights are far more imperilled and, as illustrated by the cases reported by the Business and Human Rights Resource Centre (www.business-humanrights.org), businesses are not innocent. As Shell experienced in the Niger Delta, allegations of failing to respect human rights can lead to reputation damage, community protests, stoppages, and even international legal action.

By 2050, there will be 50 per cent more people on the planet. Already resource constrained, climate changes and migration will exacerbate demand on resources globally and locally. Beyond the serious operational challenges these pose for businesses, they will also shine a harsh spotlight on questions of equity, fairness and justice. Ownership and distribution of resources such as arable land, water and energy will be closely scrutinised. Claims of rights to these goods and challenges to business consumption of them will increase. The vulnerable, as is so often the case in times of change, are most at risk of losing out. If businesses are to navigate the social landscape of the 21st Century successfully, they will need to develop a deeper and more holistic understanding of human rights.

Human rights are more than just legal measures. A culture of respecting human rights will not emerge simply by conforming

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to legislation – no more so than a health and safety culture does. A business that makes a commitment to human rights is prepared to be judged not by the business-articulated measures of corporate responsibility, but by the established expectations of society itself. It is committing to making a shift from business-centric measures of success, to a people-and development-centred set of measures.

Rather than minimise human rights responsibilities, business can see human rights as principles to guide all their interactions with individuals, communities, and society as a whole. Corporate policies can be guided by human rights. The practices of many businesses already respect many human rights – such is the nature of how these rights have evolved – but a human rights approach can serve to develop and enhance responsible business practices and promote more equitable and sustainable societies. The process of interpreting human rights knowledge in ways which are useful and meaningful for businesses has begun in initiatives such as the Voluntary Principles on Security and Human Rights, the various supply chain initiatives such as the Ethical Trading Initiative, the UN Global Compact and the Global Business Initiative on Human Rights.

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Luke founded TwentyFifty Ltd in 2004. The consultancy helps its clients to turn commitments to respect human rights and sustainability into practice. Luke has worked with over 30 global multinationals and large national businesses in the finance, pharmaceutical and specialist chemicals, extractives, FMCG and utilities sectors.

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