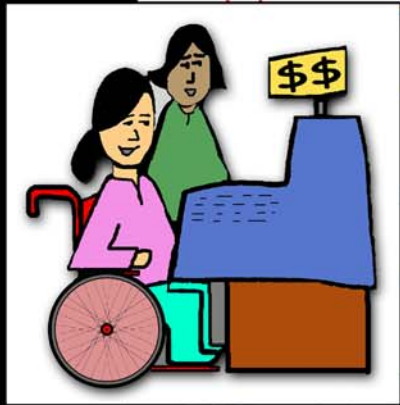
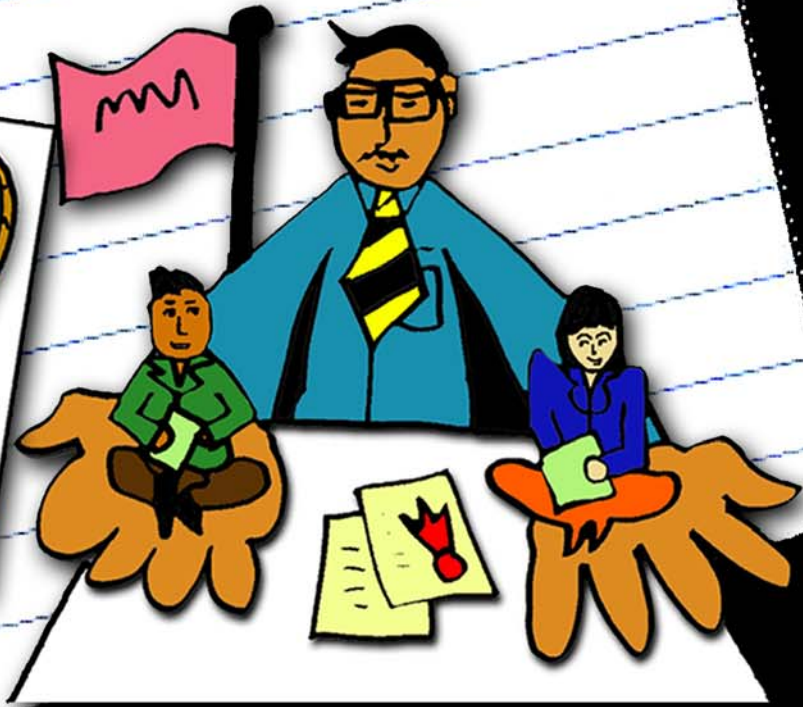


# The Business of Women's Human Rights



A Primer on the United Nations (UN)  
Convention on the Elimination of All Forms  
of Discrimination Against Women (CEDAW)  
& The UN Guiding Principles on Business  
& Human Rights.



# **The Business of WOMEN'S HUMAN RIGHTS**

*A Primer on the United Nations  
Convention on the Elimination  
of All Forms of Discrimination  
Against women (CEDAW) &  
The UN Guiding Principles on  
Business & Human Rights (UNGP).*



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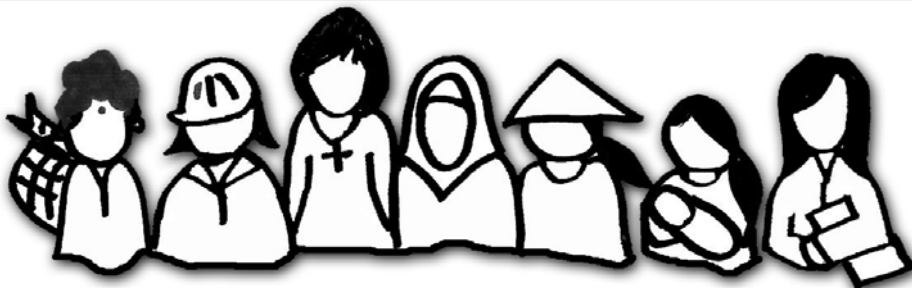
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# **PREFACE**

This user friendly primer is a first easy reference for grassroots and national level civil society organisations to understand the linkages between the UN Convention on the Elimination of All Forms of Discrimination (CEDAW) and The UN Guiding Principles on Business & Human Rights (UNGPs). CEDAW was adopted by the General Assembly in 1979 and came into force in 1981. In June 2011, the Human Rights Council unanimously endorsed the Guiding Principles and created a new special mechanism, the UN Working Group on Business and Human Rights.

This creative booklet is the result of numerous requests from NGOs wanting to constructively engage with businesses and corporations. We hope this primer will help users to understand and discover the effective mechanisms to promote and advance women's human rights. A more detailed and complementing text document can be downloaded at our IRAW official website: <http://www.iwraw-ap.org/>.

We would like to thank contributors who had attended our Regional Consultation on Exploring the Engagement with Non-State Actors using CEDAW (December 2012). We would also like to express our appreciation to Frances House and Katharine Jones from the Institute of Human Rights and Business (IHRB) that provided the initial expert advice on UNGP for the 2012 Consultation.

We are especially grateful to Amy Lynne Locklear (consultant & former IRAW AP programme officer) and Kathryn Dovey (Research Fellow–Gender, Institute for Human Rights and Business), who researched and authored this primer. Without them, this primer would not have been possible.

Our appreciation also goes to Dorathy Stanislaus Benjamin who coordinated, edited and designed this primer as part of IRAW Asia Pacific's strategy to facilitate the exchange of ideas on CEDAW. Part of the strategy is also to build the capacity of local and national level activists and groups in the use of different tools for the promotion and advancement of women's human rights. We also appreciate the generous support of Oxfam Novib which made the production of this primer possible.

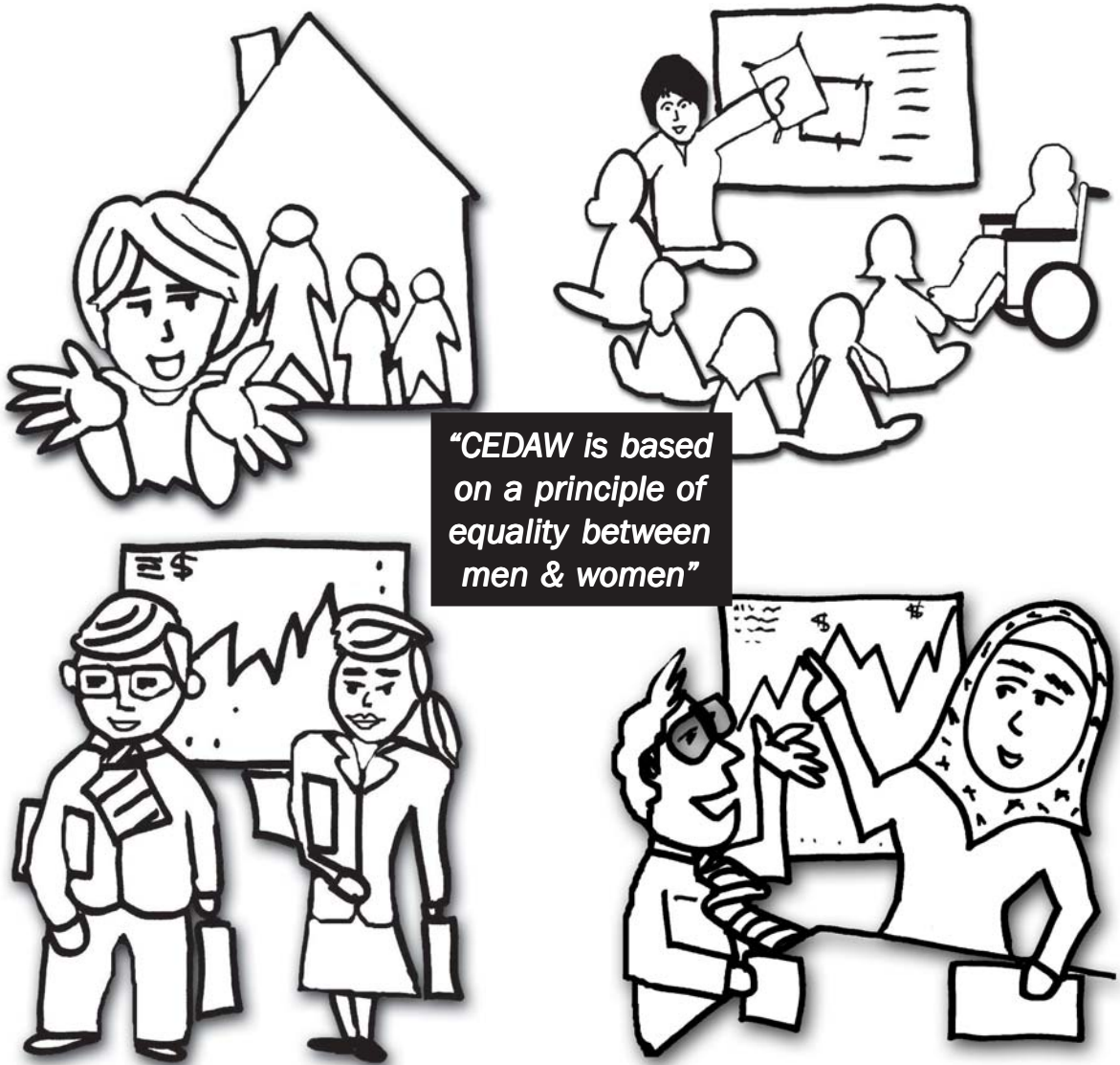
We hope that this primer will genuinely fulfill the expressed needs of our partners and we would truly welcome users to provide us with feedback and suggestions so that we may continue to improve our skills and capacity to support and equip CSOs/NGOs in the promotion and advancement of women's human rights. You can send your feedback to us at [iwraw-ap@iwraw-ap.org](mailto:iwraw-ap@iwraw-ap.org)

The International Women's Rights Action Watch Asia Pacific (IRAW Asia Pacific) is an independent, non-profit NGO in Special Consultative status with the Economic and Social Council of the United Nations. IRAW facilitates and monitors the implementation of CEDAW around the world.

## **I. CEDAW**

***“Convention on the Elimination of all Forms of Discrimination against Women”***

- CEDAW is based on a principle of equality between men and women. It addresses power relations between women and men at all levels, from family to community, market and state. It also recognises violations of women’s human rights regardless of their occurrence in the home or workplace.
- CEDAW is a legal instrument and is therefore subject to interpretation. Articles 1 and 5 (see below) give the widest applicability, as together they can be interpreted to refer to almost any situation that adversely affects women in all sectors and contexts; and with respect to all issues pertaining to women.



- It addresses power relations between women and men at all levels, from the family to the community, market and state. It also recognises violations of women's human rights regardless of whether these happen at home or the workplace.
- CEDAW was one of the first international human rights treaties to refer to enterprises, which encompasses all forms of businesses. CEDAW establishes the State party's obligation to protect women against human rights abuses involving businesses.

## **II. Articles of CEDAW**

*"The CEDAW Convention contains 30 articles":*



- |           |   |
|-----------|---|
| Article 1 | Defines discrimination.   |
| Article 2 | Requires state parties to adopt legal, policy and measures to eliminate discrimination.           |
| Article 3 | Requires state parties to take all appropriate measures to guarantee equality for women.          |
| Article 4 | Allows state parties to adopt temporary special measures to achieve equality.                     |
| Article 5 | Requires state parties to adopt measures to address discriminatory social and cultural practices. |
| Article 6 | Addresses trafficking and prostitution.   |
| Article 7 | Addresses political and public life   |



- Article 8      Addresses participation at the international level
- Article 9      Addresses nationality
- Article 10     Addresses equal rights in education
- Article 11     Addresses employment
- Article 12     Addresses healthcare and family planning
- Article 13     Addresses economic and social benefits
- Article 14     Addresses rural women
- Article 15     Addresses equality before the law
- Article 16     Addresses marriage and family law
- Article 17-22  Establishes the Committee on the Elimination of Discrimination against Women (CEDAW Committee) and its functions
- Article 23-30  Addresses administration of CEDAW and procedural issues

### **III. Three Important Principles of CEDAW**

#### **Substantive Equality**

- Mandates both legal and development policy measures to guarantee the rights of women.
- Recognizes differences, but affirms equality between men and women.
- It places on the state the obligation to correct the environment that disadvantages women.
- All initiatives of the state (e.g. laws, policies, programmes and services) must lead to equal opportunities, equal access to such opportunities and equal results and benefits.

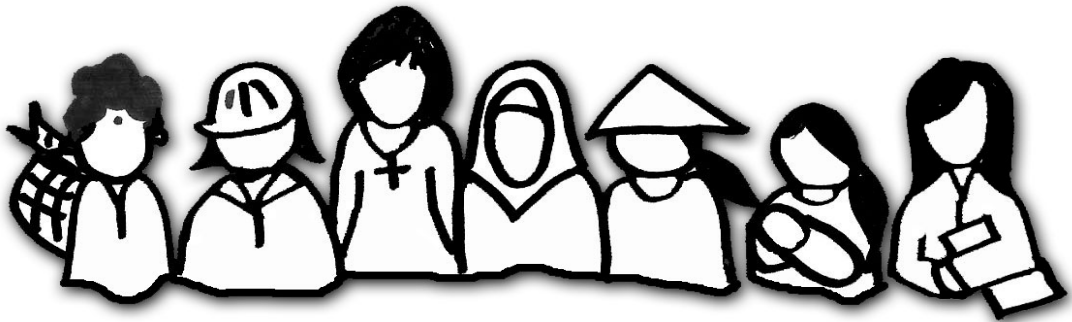


***“Substantive equality,  
Non-discrimination,  
State obligation”***

## Non-Discrimination

- CEDAW defines discrimination as “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedom in the political, economic, social, cultural, civil, or any other field.”

**“Prohibits all forms of direct & indirect discrimination against women”**



- This definition prohibits all forms of “direct & indirect discrimination against women”.
- This definition recognizes that discrimination and inequality is socially constructed.
- This definition provides a guide for assessing when the different treatment accorded to women is permissible.
- Eg: Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedom in the political, economic, social, cultural, civil, or any other field.
- Affirmative actions such as maternity provisions are not discriminatory because they will not “nullify the recognition, enjoyment or exercise by women—of human rights and fundamental freedoms”.
- But actions such as protective measures like barring women from migrating based on their sex have been construed as discrimination, as such measures work against women’s interests in the long term.
- This definition requires corrective measures and state parties to adopt legal measures as well as policy and programme interventions, including affirmative action, to enable women to access the rights guaranteed in the law and women-centered development policies.

- This definition recognises intersectional discrimination, which is discrimination against women because they are members of groups or categories such as ethnic, racial or religious minorities, are migrant workers or victims of trafficking or fall within other minority groups.

#### **IV. State obligation & Non-state Actors**

- State parties must respect, promote, protect, fulfill and realise women's human rights "by adopting laws and other measures prohibiting all discrimination against women" (CEDAW, Article 2b).
- The state party must "take all appropriate measures to eliminate discrimination by any person, organization or enterprise." (Art.2(e)).
- States must take action "in all fields" particularly "in the political, social, economic and cultural fields" (Article 3).



#### **V. CEDAW Reporting Process**

***"States are held accountable through the Periodic Reports sent to the CEDAW Committee"***

- The CEDAW Committee monitors a state party's progress in meeting its obligations under CEDAW.
- The CEDAW reporting process can be used to push states to ensure that businesses respect human rights and do not violate the rights protected under the treaty.
- A state party must submit an initial report to the CEDAW Committee within one year of ratifying CEDAW and periodic reports every four years hereafter to describe how it has met or the reasons it was unable to meet its obligations under CEDAW.





- The state party must appear in person before the CEDAW Committee and answer questions regarding the report. However the CEDAW Committee has shown a willingness to review a state party in their absence if the state persistently fails to report.

- The CEDAW Committee will issue concluding observations including recommendations to the state party on how it can better meet its obligations under CEDAW.

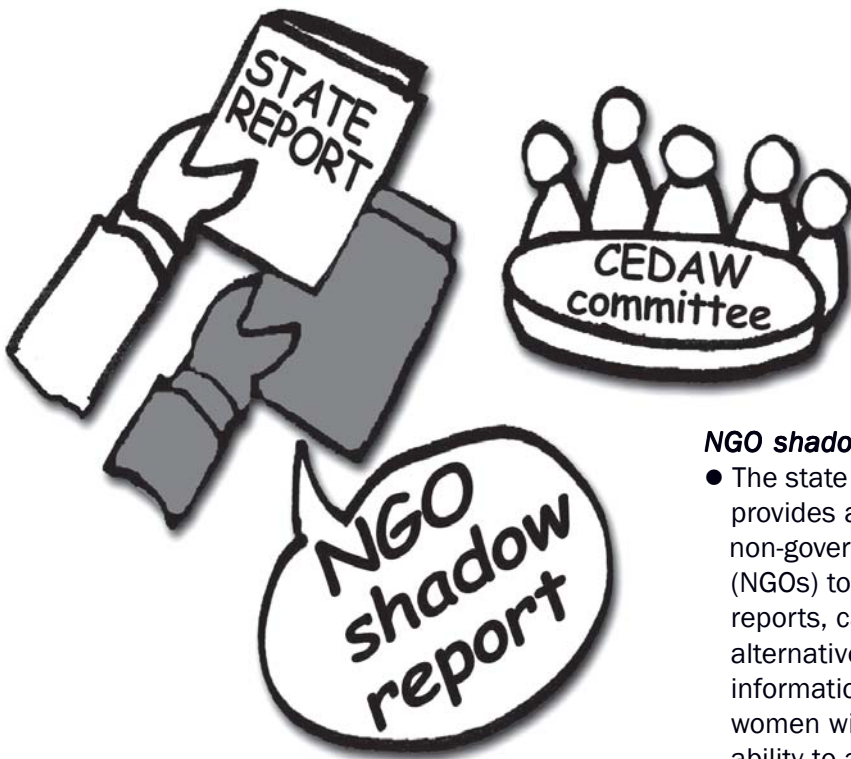


- In subsequent reviews, a state party is expected to report on how it has implemented or addressed the recommendations in the concluding observations.



- The CEDAW Committee can also enforce the “Guiding Principles on Business & Human Rights” through the reporting process by issuing concluding observations that specifically address the obligations of state parties to protect women against violations committed by non-state actor including businesses.

(“New Guidelines for Human Rights Treaty Reporting: Opportunities for Women’s Human Rights NGOs Final Draft for Comment November 2008”, International Women’s Rights Action Watch, <http://www1.umn.edu/humanrts/iwraw/CCDmanual-09.html> #NewHarmonizedGuidelines.)



**NGO shadow report**

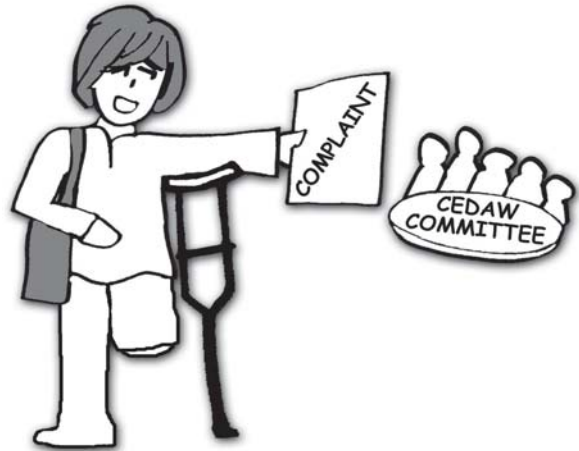
- The state reporting process provides an opportunity for non-governmental organizations (NGOs) to submit their own reports, called shadow or alternative reports which contain information on the status of women with respect to their ability to access, exercise and enjoy their rights under CEDAW.
- The shadow or alternative report can also makes recommendations on how the state party can improve this status. (International Women's Rights Action Water Asia Pacific, IWRAP Asia Pacific Shadow Report Guidelines. ([http://www.iwraw-ap.org/using\\_cedaw/sr\\_guidelines.htm](http://www.iwraw-ap.org/using_cedaw/sr_guidelines.htm)).
- A shadow report also includes a critique of the information in a state report. This information is not included in a state report or differs or supplements that which is contained in a state report. ([http://www.iwraw-ap.org/using\\_cedaw/sr\\_guidelines.htm](http://www.iwraw-ap.org/using_cedaw/sr_guidelines.htm)).
- NGOs prepare a shadow report after or contemporaneous with the state's preparation of its report to the CEDAW Committee.
- NGOs can also prepare an alternative report when the state has failed to prepare a report, is unwilling to share its report with NGOs, or when a state report is not available prior to the CEDAW Committee's review. (International Women's Rights Action Water Asia Pacific, IWRAP Asia Pacific Shadow Report Guidelines. ([http://www.iwraw-ap.org/using\\_cedaw/sr\\_guidelines.htm](http://www.iwraw-ap.org/using_cedaw/sr_guidelines.htm)).
- NGOs can meet with the CEDAW Committee prior to the state's review to highlight important issues and concerns.



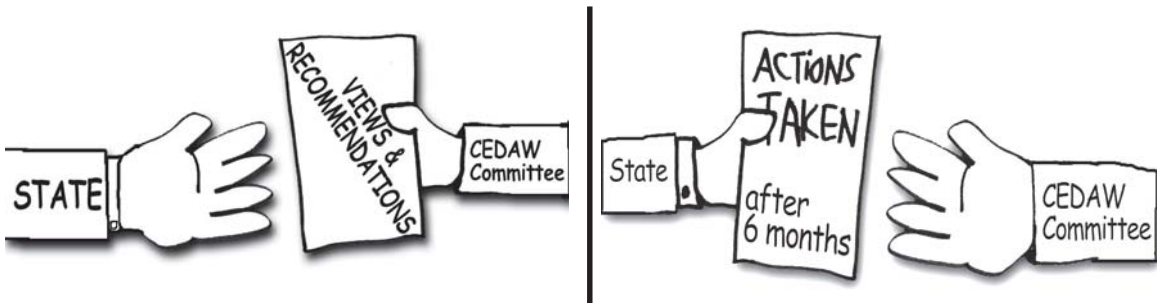
## VI. OPTIONAL PROTOCOL TO CEDAW

*"Individuals can submit rights violation complaints to the Committee"*

- The Optional Protocol to CEDAW ("OP-CEDAW") is a separate treaty, which states parties can ratify if they have already ratified CEDAW. Under OP-CEDAW, an individual can submit a complaint, called a communication, to the CEDAW Committee, in which she alleges a violation of her rights under CEDAW. (OP-CEDAW, Article 2.)



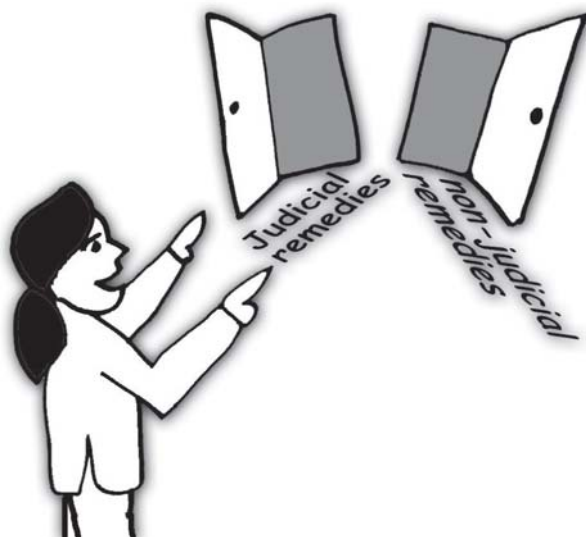
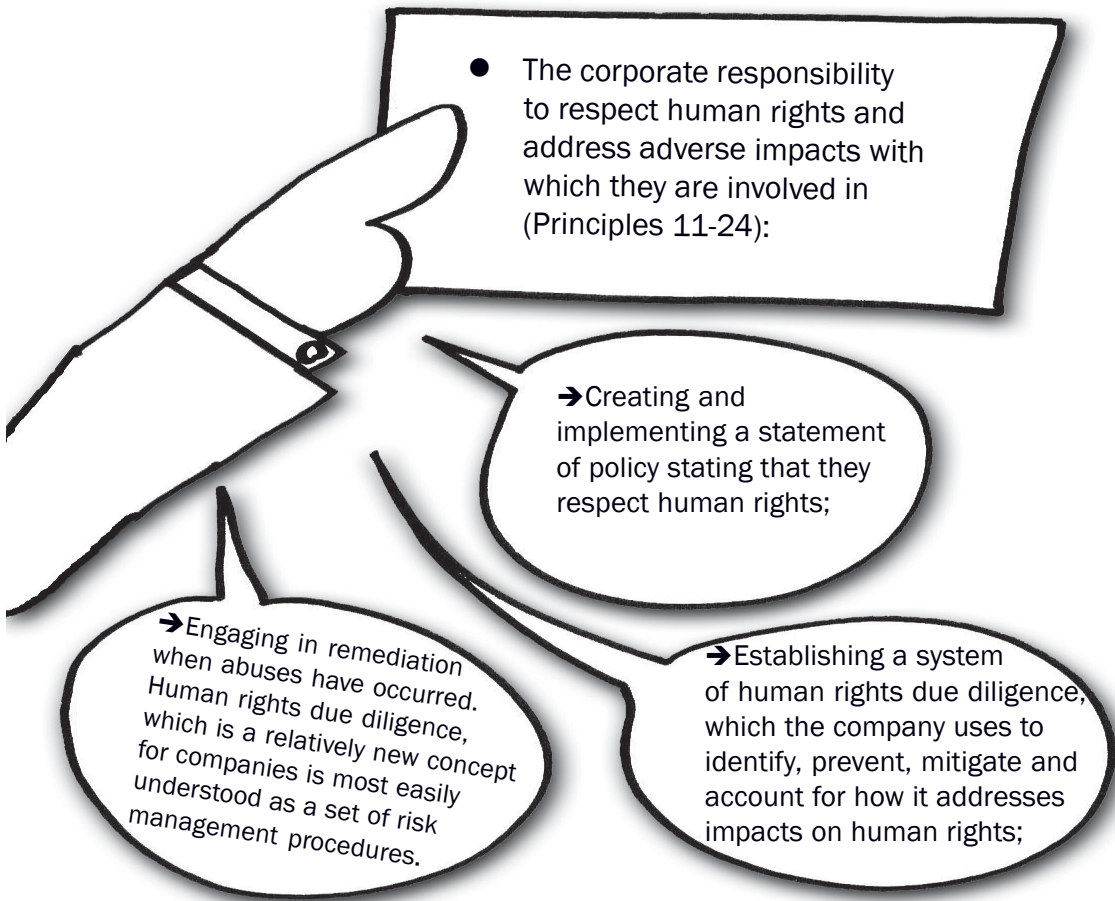
- If the CEDAW Committee decides the communication is credible and meets the procedural requirements, it will issue views and recommendations to the state party. The state party has six months to provide information on actions it took in response to the CEDAW Committee's views and recommendations. (OP-CEDAW, Article 4 & 7(3)(4))



- OP-CEDAW allows individuals to request that the CEDAW Committee undertake an inquiry procedure on the basis of information pointing to "grave or systematic violations by a State Party of rights" protected under CEDAW, OP-CEDAW, Article 8(1).
- At the conclusion of the inquiry, the CEDAW Committee sends findings, comments and recommendations to the state party. The state party has six months to respond with observations to the CEDAW Committee. OP-CEDAW, Article 8(3)-8(4).
- The inquiry procedure has been used only once in a case where the Committee found that Mexico had violated CEDAW when it failed to adequately prevent, investigate and punish crimes involving the rape, abduction and murder of women in and around Ciudad Juarez in the State of Chihuahua. (CEDAW/C/2005/OP.8/MEXICO, para 55, Report on Mexico, 27 January 2005)



- The state's duty to protect human rights abuses by third parties, including businesses can be done through appropriate policies, regulation, and adjudication (principles 1-10):
  - ➔ The Guiding Principles define the scope of the duty of states to ensure that third parties, including business enterprises, do not abuse human rights.
  - ➔ This reaffirmation of all states' obligations under international human rights law is the first pillar of the Framework.
  - ➔ The Guiding Principles spell out the practical steps that states must take to meet their obligations.
- ➔ States must pay special attention to situations where they own, control or support companies that may be involved in human rights abuses.
- ➔ Guiding Principle 7(b) directly references gender in the context of conflict affected areas and recommends that states provide adequate assistance to business enterprises to assess and address the heightened risks of abuses, paying special attention to both gender-based and sexual violence.



- The need for greater access by victims to effective remedy, both judicial and non-judicial. (Principles 25 - 31):
  - Ways are suggested for states and companies to improve access to effective remedy for victims of corporate-related human rights harm, including judicial and non-judicial remedies.
  - Companies are strongly urged to create operational-level grievance (or complaints) mechanisms based on human rights principles.



## Interesting Facts

• The European Commission's Communication on Corporate Social Responsibility of 2011 has encouraged member states of the European Union to create National Action Plans setting out their roadmap for implementing the Guiding Principles and for encouraging better conduct by business operating within their territories or overseas. To date, only the United Kingdom National Action Plan has been made public.

• In June 2011, the Human Rights Council unanimously endorsed the Guiding Principles, which build upon each of the pillars of the Framework and provide guidance to states, companies and civil society with regard to the implementation of the Framework.

• The corporate responsibility to respect human rights was incorporated in the OECD Guidelines for Multinational Enterprises, the International organization for Standardization ISO 26000 standard on Social Responsibility and the International Finance Corporation's Sustainability Framework and Performance Standards.



Interesting Facts

- The UN Working Group on Business and Human Rights (“Working Group”) which makes up of five individuals has the mandate to promote the dissemination and implementation of the Guiding Principles and to take other related actions, including country visits.

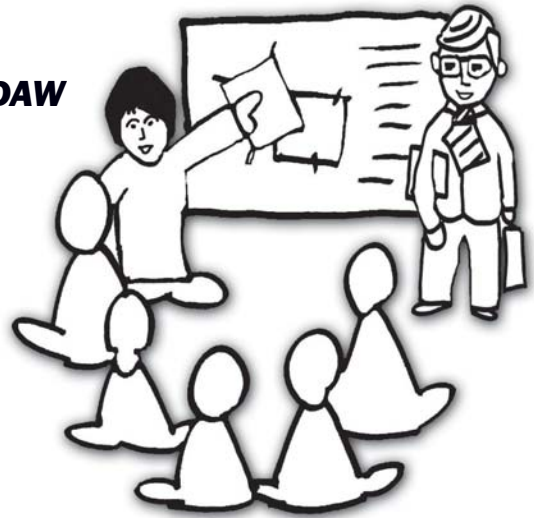
- The Working Group has the specific responsibility to integrate a gender perspective throughout its work and to guide the work of the Forum on Business and Human Rights, which is an annual gathering in Geneva of all stakeholder groups to discuss progress on implementation of the Guiding Principles.





## VIII. THE GUIDING PRINCIPLES & CEDAW IN COLLABORATIONS WITH NON-STATE BUSINESS ACTORS

*“Developing plans for collaborations between  
businesses & women’s rights advocates”*



- CEDAW lists or defines specific rights that a state party must protect. It also established a specific approach that a state party must take in implementing its obligations under the treaty.

- CEDAW requires a state party to protect these rights within the framework of non-discrimination, state obligation and substantive equality. State parties will be responsible for recognizing and protecting new rights as circumstances change and evolve.

- Other treaty bodies and international and regional organisations have begun the process of integrating the Guiding Principles in their particular contexts.

## Interesting Facts

- The International Finance Corporation which is the private sector lending arm of the World Bank has updated its Sustainability Principles and Performance Standards to recognize the corporate responsibility to respect human rights. These standards effectively determine whether investment should be provided for certain private sector projects and therefore provide a good leverage point at the outset of a project. The standards are also used by over 80 private sector banks and other lending institutions. In addition, there is a complaints procedure associated with the IFC known as the Compliance Advisor Ombudsman (CAO) which can be accessed by project-affected communities in relation to social and environmental matters of concern.

- The OECD Guidelines for Multinational Enterprises were updated in 2011 to include a new human rights chapter with content drawn from the Guiding Principles. These provide national mechanisms for hearing complaints in the 46 countries that have signed up to the Guidelines. The complaints relate to the actions of companies operating within or headquartered within those states.

- The human rights chapter of the Guidance on Social Responsibility by the International Organization for Standardization (ISO) draws heavily on the content in the Guiding Principles related to the corporate responsibility to respect human rights.



### Interesting Facts

- The European Union has issued guidance aimed at small and medium sized enterprises, as well as guidance for three specific sectors: oil and gas, informational technology and employment services. In addition, the Commission has called upon member states to create National Action Plans to set out the steps they will take to implement the Guiding Principles.

- The United States passed legislation related to the extraction of conflict minerals from the Democratic Republic of Congo which was grounded in the concept of human rights due diligence. In addition, the Government created a set of Reporting Requirements which apply to businesses investing in Myanmar and call on the companies to report publicly on how they are meeting the corporate responsibility to respect human rights.



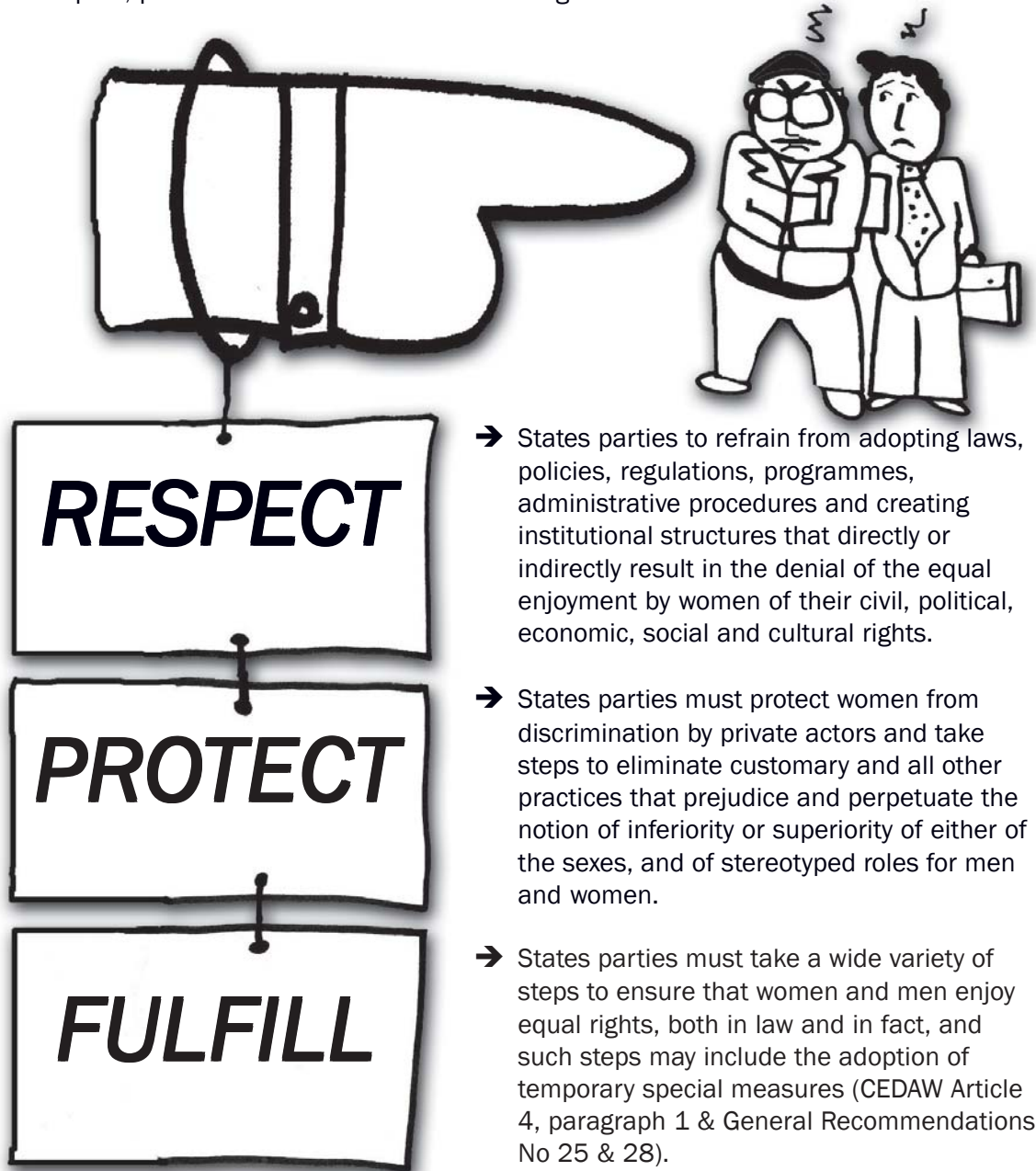
- The Children's Rights and Business principles were created in March 2012 following a collaborative process of creation by UNICEF, Save the Children and the UN Global Compact. In essence, the purpose of the principles is to ensure that children's rights feature as a key component of corporate responsibility. They essentially look at human rights impacts from the perspective of children who are negatively affected. In February 2013, the UN Committee on the Rights of the Child adopted General Comment 16 which focuses on state obligations regarding the impact of the business sector on children's rights. This is the first General Comment to speak directly to the private sector.



## IX. CEDAW & OBLIGATIONS OF THE STATE PARTY

*"State party has to ensure non-state actors respect, protect & fulfill women's rights"*

- In 2010, the Committee adopted under CEDAW, "General Recommendation 28" (GR 28), its most comprehensive guidance to date on the obligations of the state's duty to respect, protect and fulfill women's human rights:



The illustration features a large megaphone on the left, pointing towards two men on the right. The man on the left has his arms crossed and a stern expression, while the man on the right has a worried expression and is carrying a briefcase. Below the megaphone are three rectangular signs stacked vertically, each containing one of the three obligations: RESPECT, PROTECT, and FULFILL. To the right of these signs are three bullet points, each starting with a right-pointing arrow, detailing the specific obligations for each category.

- States parties to refrain from adopting laws, policies, regulations, programmes, administrative procedures and creating institutional structures that directly or indirectly result in the denial of the equal enjoyment by women of their civil, political, economic, social and cultural rights.
- States parties must protect women from discrimination by private actors and take steps to eliminate customary and all other practices that prejudice and perpetuate the notion of inferiority or superiority of either of the sexes, and of stereotyped roles for men and women.
- States parties must take a wide variety of steps to ensure that women and men enjoy equal rights, both in law and in fact, and such steps may include the adoption of temporary special measures (CEDAW Article 4, paragraph 1 & General Recommendations No 25 & 28).

- In some cases, a private actor's actions or omission of actions may be attributed to the State under international law. States parties are thus obliged to ensure that private actors do not engage in discrimination against women as defined in the Convention.
- State party must "protect women from discrimination by private actors". Consequently, a state party cannot stand passive in the face of discrimination committed by non-state actors. The state party must "react actively against discrimination against women, regardless of whether such acts or omissions are perpetrated by the State or by private actors." (GR 28, paragraph 9 & 10.)
- CEDAW has imposed "a due diligence' obligation on States parties to prevent discrimination by private actors." The appropriate measures that States parties are obliged to take include the regulation of the activities of private actors with regard to education, employment and health policies and practices, working conditions and work standards, and other areas in which private actors provide services or facilities, such as banking and housing. (GR 28, paragraph 13.)
- The duty to protect against discrimination by non-state actors also requires that the state party establish "competent tribunals and other public institutions" and enforce the principles of non-discrimination and equality "by sanctions and remedies, where appropriate." (GR 28, paragraph 17.)
- State party must "formulate and implement a policy that is targeted as clearly as possible towards the goal of fully eliminating all forms of discrimination against women and achieving women's substantive equality with men." (GR 28, paragraph 24, 25). The policy "must be comprehensive" and "apply to both public and private economic spheres".
- This "policy must engage the private sector, including business enterprises, the media, organizations, community groups and individuals, and enlist their involvement in adopting measures that will fulfill the goals of the Convention in the private economic sphere." (GR 28, paragraph 28.)
- The Committee specifically interpreted Art. 2(e) as establishing "an obligation of States parties to eliminate discrimination by any public or private actors". The state "should also adopt measures that ensure the practical realization" of women's rights to non-discrimination and substantive equality. These include measures that ensure women can make complaints when their rights are violated and access effective remedies, including remedies against private actors. (GR 28, paragraph 36.)

***The State should ensure women's rights to non-discrimination, substantive equality & access to remedies when their rights are violated.***



## X. CEDAW & THE BUSINESSES' APPROACH TO PROTECTING WOMEN'S RIGHTS

*"Enforcing the protection of women's rights in corporations"*



- The Guiding Principles provide a framework for enforcing rights protected under existing international human rights treaties such as the International Convention on Civil and Political Rights, the International Convention on Economic, Social and Cultural Rights (“ICESCR”) and the International Convention on the Rights of All Migrant Workers and Members of their Families.

- State parties have an obligation to enact and enforce laws that require non-state actors to provide, “safe and healthy working conditions” for all workers especially women employees which includes proper and fair minimum wages; equal treatment of women workers; safe and healthy working conditions; equal opportunity for everyone in job promotions; and rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays.

- State parties have an obligation to enact and enforce laws prohibiting non-state business actors from dismissing women “on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status”, requiring “maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances” and providing “special protection to women during pregnancy in types of work proved to be harmful to them.” (CEDAW Article 11)

- The State may facilitate businesses to adopt policies that challenge stereotyping that it is the women’s role to look after their children. For instance the state party can reward companies with a track record of their male employees taking paternity leave in order to look after their children; or rewarding business corporations that provide childcare facilities for employees in their place of work.

## **XI. CODE OF CONDUCT FOR BUSINESSES ON GENDER EQUALITY**

***“Seven principles to guide corporations to focus on women’s rights issues”***

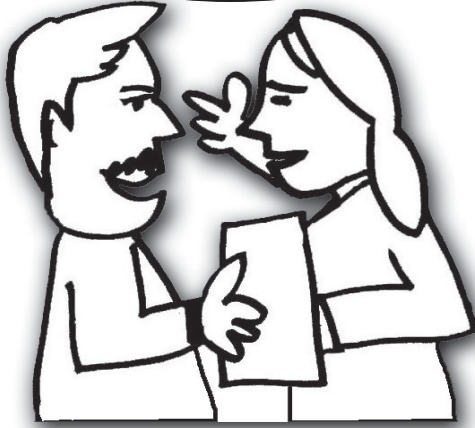
- For several years, multinational corporations in particular have been mindful of the ways in which their operations may impact women and men in different ways. Many companies now track the numbers of women who are reaching senior management and leadership positions within the business. In addition the question of women on boards has become a lively issue as governments in Europe, North America and Asia are looking at the possibility of introducing quotas to encourage more diversity at the most senior end of the company.
- Similarly, there is a recognized global ‘gender gap’ as a result of inequalities of opportunities and results for women across the globe. These inequalities manifest themselves in different ways but at their core they point to unequal opportunities earlier in life due to social conventions which mean that girls may have less access to education or even suffer from son preference in certain societies.
- A recent initiative of the UN Global Compact and UN Women demonstrates growing interest to ensure that women’s rights are respected in the workplace, in their supply chains and in the local communities where they operate. The Women’s Empowerment Principles are a set of principles which act as the first global code of conduct for business on gender equality.
- Although the principles are not explicitly framed in a human rights context, they do represent a helpful leverage point when working with companies or suppliers or customers of companies that have signed up to them. At the time of writing 670 companies had signed up to the principles.
- The seven principles are set out as follows:

***The Women’s Empowerment Principles - the first global code of conduct for business on gender equality.***

***Principle 1:  
Establish high-level corporate leadership for gender equality.***



**Principle 2:**  
*Treat all women and men fairly at work – respect and support human rights and non-discrimination.*



**Principle 3:**  
*Ensure the health, safety and well-being of all women and men workers.*



**Principle 4:**  
*Promote education, training and professional development for women.*



**Principle 5:**  
*Implement enterprise development, supply chain and marketing practices.*



**Principle 6:**  
*Promote equality through  
community initiatives  
and advocacy.*



**Principle 7:**  
*Measure and publicly  
report on progress to achieve  
gender equality.*



## **XII. WHAT MOTIVATES BUSINESSES TO ADDRESS HUMAN RIGHTS IMPACTS**

*"Areas of concern civil societies can use to engage with businesses"*




- As a result of a lawsuit or NGO campaign either against their company or against one of their competitors.
- Following questions by investors relating to their human rights policy or due diligence system.
- Changes in the law to reflect human rights protections or human rights reporting requirements.
- Leadership from within the senior ranks of the company.
- Issues brought to the company's attention by local or international civil society organizations.



### XIII. WHAT CAN BUSINESSES DO TO ADDRESS HUMAN RIGHTS?

"Some ideas for action"

(Note: These interventions are provided for in Guiding Principles 18, 21, 23)



- Map and assess any actual or potential human rights abuses the businesses may be involved in through their own operations or as a result of their business relationships. This includes drawing on external or internal human rights expertise and meaningful consultation with potentially affected groups and relevant stakeholders.

- Integrate the findings from the impact assessments across the business and take appropriate action.

- Track the effectiveness of responses to potential and actual impacts. This includes using appropriate qualitative and quantitative indicators and drawing on feedback from both internal and external sources, including affected stakeholders.

- Account for how they are addressing their human rights impacts by communicating externally particularly when concerns are raised by or on behalf of affected stakeholders.

## **XIV. THINKING STRATEGICALLY**

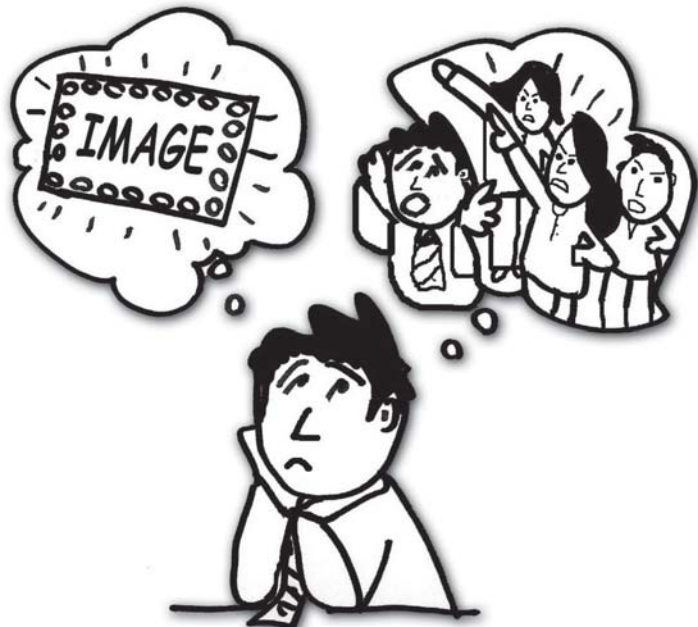
*“Engaging company representatives to promote women’s rights”*



- Many businesses have begun to track human rights as in their risk monitoring systems however many businesses and their employees do not have a clear understanding of what is human rights and how is it important to them.
- Begin by understanding how a particular company may impact people’s human rights in their policies and practices. Try to share the basic core principles of dignity and respect without sounding preachy and lecturing. Stick to the facts and figures and logic of why human rights of their workers especially women should be upheld and protected.

- The Business and Human Rights Resource Centre tracks allegations against companies relating to human rights harm and also encourages companies to respond. It is a hugely important resource for advocacy on business and human rights. [www.business-humanrights.org](http://www.business-humanrights.org)

- The Guiding Principles have stressed that businesses need to explore risk factors not solely in terms of their company’s image and reputation, but also the potential risk that could arise with affected individuals as the rights-holders. This is a new understanding of risk for many businesses, and civil society can play important roles in helping businesses understand the perspective of rights-holders.



## XV. DEVELOPING PLANS FOR COLLABORATIONS

*"Important points to take note when developing action plans"*

- Every plan for collaborating with a non-state actor especially a business will be unique. It will be based on the particular context, which will include, among other things:





## XVI. EXAMPLES OF COLLABORATIONS

### "Good practices"



**Eg 1.** The HER project which was launched in China in 2007 and is now also active in Bangladesh, Egypt, Kenya, India, Indonesia, Pakistan, and Vietnam. In essence the project brings together multinational companies, suppliers and NGOs to run women's health programmes in factories.

The programmes focus on providing health information and services to the women to ensure their general and reproductive health. The project builds on a business need to ensure a healthy workforce but also the specific health needs and concerns of female workers.

**Eg 2.** During the 2011-2012 reporting period, the "Better Work Vietnam programme" documented that nine factories were out of compliance with gender non-discrimination requirements, with three factories conditioning employment on pregnancy testing or use of contraceptives. (The International Labour Organization and International Finance Corporation, *Better Work Vietnam: Garment Industry 4<sup>th</sup> Compliance Synthesis Report* (28 March 2012) "Better Work Vietnam" 7. (<http://betterwork.org/global/?p=854>) (14 November 2013).

The ILO and International Finance Corporation's "Better Work Vietnam programme" ("Programme") (2009) responded to the demands of consumers and importers for apparel that was produced in factories where worker's rights were protected and respected. As of 2012, 150 factories in Vietnam were participating in the Programme, which involves policy makers, employers, workers and international buyers in achieving improved working conditions in Vietnamese factories while also promoting productivity and competitiveness.





# **ACRONYMS**

<b>CAO</b>	- Compliance Advisor Ombudsman.
<b>CEDAW</b>	- Convention on the Elimination of All Forms of Discrimination Against Women.
<b>CSO</b>	- Civil Society Organisations
<b>GR</b>	- General Recommendations
<b>ICCPR</b>	- International Convention on Civil & Political Rights
<b>ICESCR</b>	- International Convention on Economic, Social & Cultural Rights
<b>IFC</b>	- International Finance Cooperation
<b>IWRAW Asia Pacific</b>	- International Women's Rights Action Watch Asia Pacific
<b>ILO</b>	- International Labour Organisation
<b>ISO</b>	- International Organisation for Standardization
<b>NGO</b>	- Non-Governmental Organisations
<b>OECD</b>	- The Organisation for Economic Co-operation & Development
<b>OP CEDAW</b>	- Optional Protocol to CEDAW
<b>UNICEF</b>	- United Nations Children's Fund
<b>UNGP</b>	- United Nations Guiding Principles on Business & Human Rights
<b>UN</b>	- United Nations

**READER'S NOTES**

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