**The following commentary was sent to his colleagues by Sir Geoffrey Chandler, Chair, Amnesty International UK Business Group 1991-2001, and a former senior executive of the Royal Dutch/Shell Group, after attending the March 2001 workshop in Geneva on the draft United Nations Human Rights Guidelines for Companies**

**Geoffrey Chandler    5 April 2001**

**COMPANIES AND HUMAN RIGHTS - RECENT DEVELOPMENTS**

There is a growing number of initiatives relating to human rights and corporate responsibility on which it may be helpful to suggest for consideration some guidance for Amnesty International’s approach.  Most of these initiatives stem from the Universal Declaration which needs to be our own point of departure.  The Universal Declaration on its own, however, is not easily translatable into immediate corporate action which is why we ask companies to support it explicitly as a starting point, so expressing a commitment in principle to human rights, but then apply its relevant sections to their own operations.  The purpose of the Amnesty International UK *Human Rights Guidelines for Companies* and the Management Primer *Human Rights: Is it any of your business?* has been to assist companies in this.

The multiplicity of initiatives in this area (Global Compact, Global Sullivan Principles, SA8000 etc.) makes it important that Amnesty International should decide where it should put the weight of its influence at both international and national level, these today being inseparable in a world where companies have a growing influence on national governments and therefore on international institutions.  .

It is suggested that **Amnesty International should support in principle all those initiatives which have the Universal Declaration of Human Rights as their origin** since they have value in raising the profile of corporate responsibility for human rights and in creating a climate of expectation that companies need to act.  We should, however, **recognise that most of these do not cover the whole spectrum of human rights nor do they build in any specific requirements for companies to respond and report.  We therefore need to seek a comprehensive and authoritative framework, starting with the Universal Declaration,** **the application of which will initially need to be voluntary but which can** **provide the basis for a binding structure which should be our eventual aim.**

There are now in development two initiatives, which will eventually be comprehensive in their coverage of human rights, which could assist this objective and behind which Amnesty International should put its weight.

The first is a draft United Nations Human Rights Guidelines for Companies prepared by the United Nations Sub-Commission on the Promotion and Protection of Human Rights.  The current draft was discussed in Geneva on 29-31 March 2001 at a seminar organised in co-operation with the Office of the United Nations High Commissioner for Human Rights.   Participants were representatives of NGOs, trade unions, companies, human rights lawyers, from a wide variety of countries, and members of the UN Sub-Commission.  The initiative received strong support in principle as a document comprehensively interpreting the Universal Declaration into a form which could be implemented by companies.  The draft will now be revised in the light of the discussion.  What was most important was that there was a general sense that the document should have primacy among the current initiatives, its authority being based on the nature of its content and the backing of the UN at whatever level this might be achieved.

The long-term aim would be a binding framework, but it was recognised that in the short term it would be counter-productive to press for this since it would prevent the development of the consensus which is necessary for the embedding of effective law.  It was also recognised that in some aspects, most notably the social impact of corporate activities, reporting standards are still in the early stages of development and require a contribution from all involved to work towards measurable standards and performance indicators for verification.

The initiative will now be pursued through the UN system.  This is a process unpredictable in timing and outcome.  But the next draft will be publicly available and Amnesty Sections working with companies may find it a useful resource for helping them to interpret into action the Universal Declaration’s injunction for ‘all individuals and organs of society’ to play their part.

The second initiative which, when complete, will cover the full range of corporate responsibility, is the Global Reporting Initiative (GRI).  This is being developed with the involvement of governments, NGOs and companies in order to provide a comprehensive structure for reporting and disclosure which will encourage companies to tackle issues they may not currently address through growing pressure to report on them.  We are currently pressing for human rights to be more extensively covered in the GRI, but in principle this is an initiative, which will be complementary to the UN Guidelines, that Amnesty International should support.

It is the lack of such comprehensive coverage in other current initiatives which allows companies to pick and choose or to claim that that the multiplicity inhibits them from acting.  While this may provide a pretext for inaction or partial response, these initiatives assist in creating a climate of awareness and in involving companies in human rights at some point.  From Amnesty International’s point of view they do not cover the totality of human rights for whose observance we need to press.  Security issues and civil and political rights, on which Amnesty International has a particular contribution to make, may, as in SA8000, be wholly missing.  Labour rights, with which SA8000 deals, and the freedom of association which should sustain them, are central to the issue and are well supported by the trade union movement and by the International Labour Office.  We should give these our support, but would be wise not to narrow down our own objectives by using them as a leading vehicle in our relations with companies.  Indeed, the objective of our engagement with companies will continue to be to persuade them to adopt, operationalise and audit comprehensive human rights principles throughout their operations.