National Conference on Business & Human Rights

How to Do Business with Respect for Human Rights (Bagaimana Menjalankan Bisnis dengan Menghormati HAM)

Yogyakarta, 5 November 2015

Y.W. Junardy
President Commissioner, PT Rajawali Corpora
President, Indonesia Global Compact Network
Board Member, United Nations Global Compact

Global Compact Network Indonesia

United Nations Global Compact

Voluntary movement, Corporate Leaders, Academic Intuitions and NGOs in the world, who are **committed to implement** the UN Global Compact 10 principles and supporting UN Program



"Business can be part of the solution to the challenges of globalization"

With over 12,000 signatories from 145 countries, Global Compact is now the **world's largest corporate responsibility initiative**, and a vehicle for linking profits and social advancement.

United Nations Global Compact

The 10 Global Compact Principles

Business should Support and Commit to implement

Human Rights

- **Support & respect protection of human rights**
- **Not complicit in human rights abuses**

Labor

- **Freedom of association**
- **Eliminate forced labor**
- **Child labor**
- **Discrimination employment**



Environment

- Support precautionary approach
- Greater environment responsibility
- Development friendly technology



Anti-Corruption

- Work against all corruption including extortion and bribery



United Nations Global Compact

Global Compact Vision and Objectives

Vision
"A more sustainable and inclusive global economy"

Objectives	
1. Make the ten principles part of business strategy, operations and culture everywhere	Internalization
2. Take action in support of UN goals and issues	Contribution to society/ development

→ UN goals and issues include:

- **Peace & Security**
- **Water Security and Sanitation**
- **Human Rights, Children's Rights**
- **Gender Equality**
- **Development**
- **Education**
- **Health**
- Food Security
- Ecosystems and Biodiversity
- Climate Change Mitigation and Adaptation
- **Employment and Decent Working Conditions**
- Anti-Corruption

Sustainable Development Goals launched in UN Summit on 25 Sep 2015

UN Global Compact Initiatives

Caring for Climate

UNEP

PRME Principles for Responsible Management Education

BUSINESS CALL TO ACTION

Sustainable Stock Exchanges Initiative

The CEO Water Mandate

Business for Peace

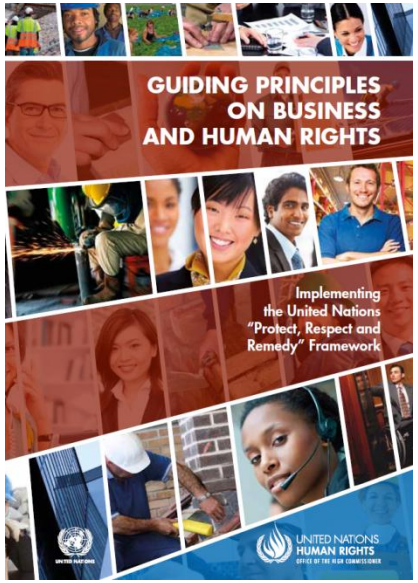
Partners:

Global Reporting Initiative™

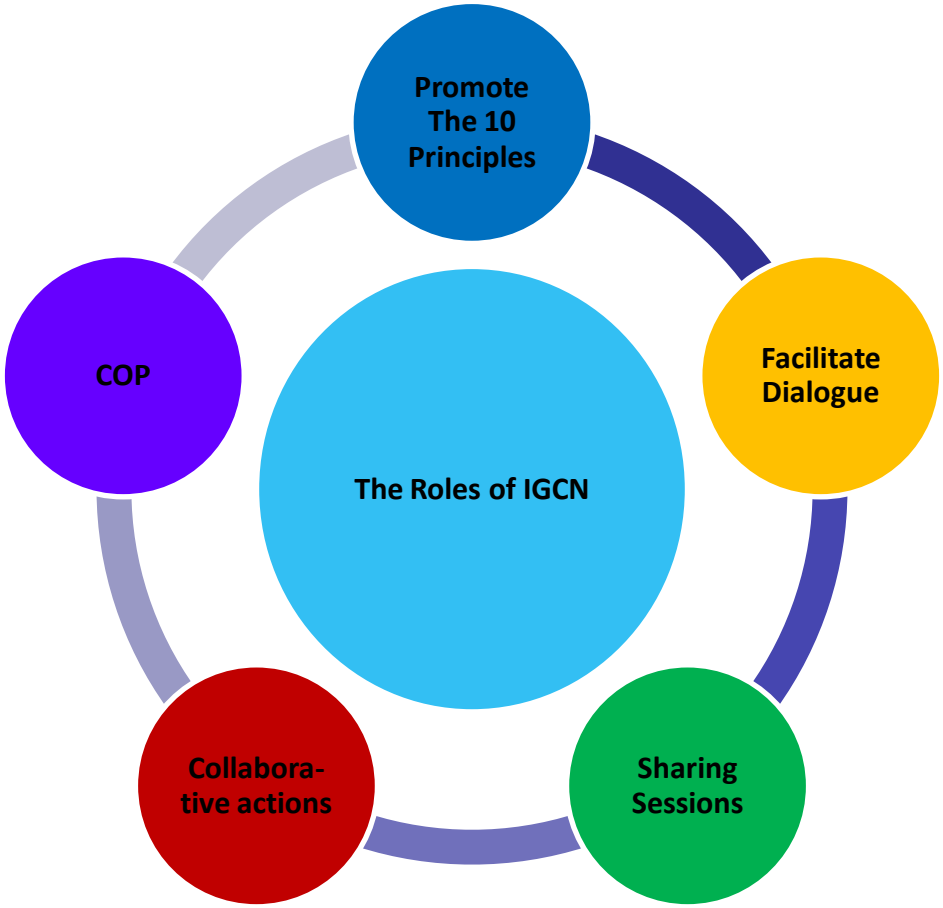
PRI Principles for Responsible Investment

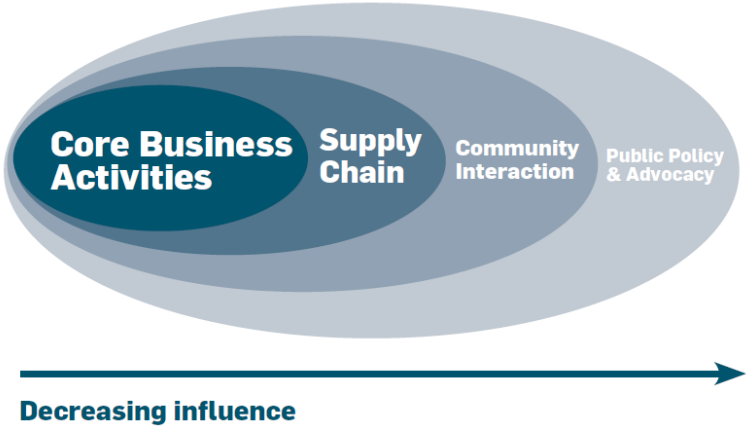
United Nations Global Compact





IGCN – The Roles and Sphere of Influence





Guiding Principles on Business & Human Rights: Implementing the UN "Protect, Respect and Remedy" Framework

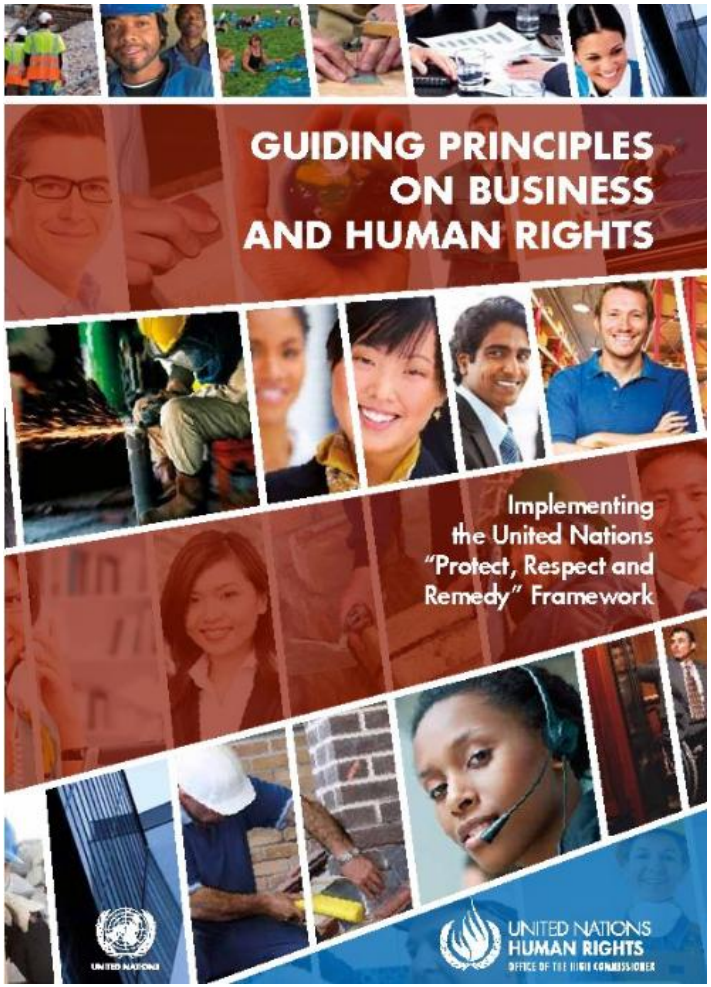
- Endorsed by the UN Human Rights Council in 2008
- Provides the basis for the UN Guiding Principles (endorsed in 2011)



State duty to protect	Corporate responsibility to respect	Access to remedies
• Protect against human rights violations by third parties, including business, through appropriate policies, regulation and adjudication	• Act with due diligence to avoid infringing on the rights of others and address adverse impacts	• Access to judicial or non-judicial remedies for corporate-related human rights violations

Source: http://business-humanrights.org/en/un-guiding-principles

The Corporate Responsibility to Respect Human Rights



FOUNDATIONAL PRINCIPLES

Guiding Principles 11 - 15

OPERATIONAL PRINCIPLES

Guiding Principles 16

HUMAN RIGHTS DUE DILIGENCE

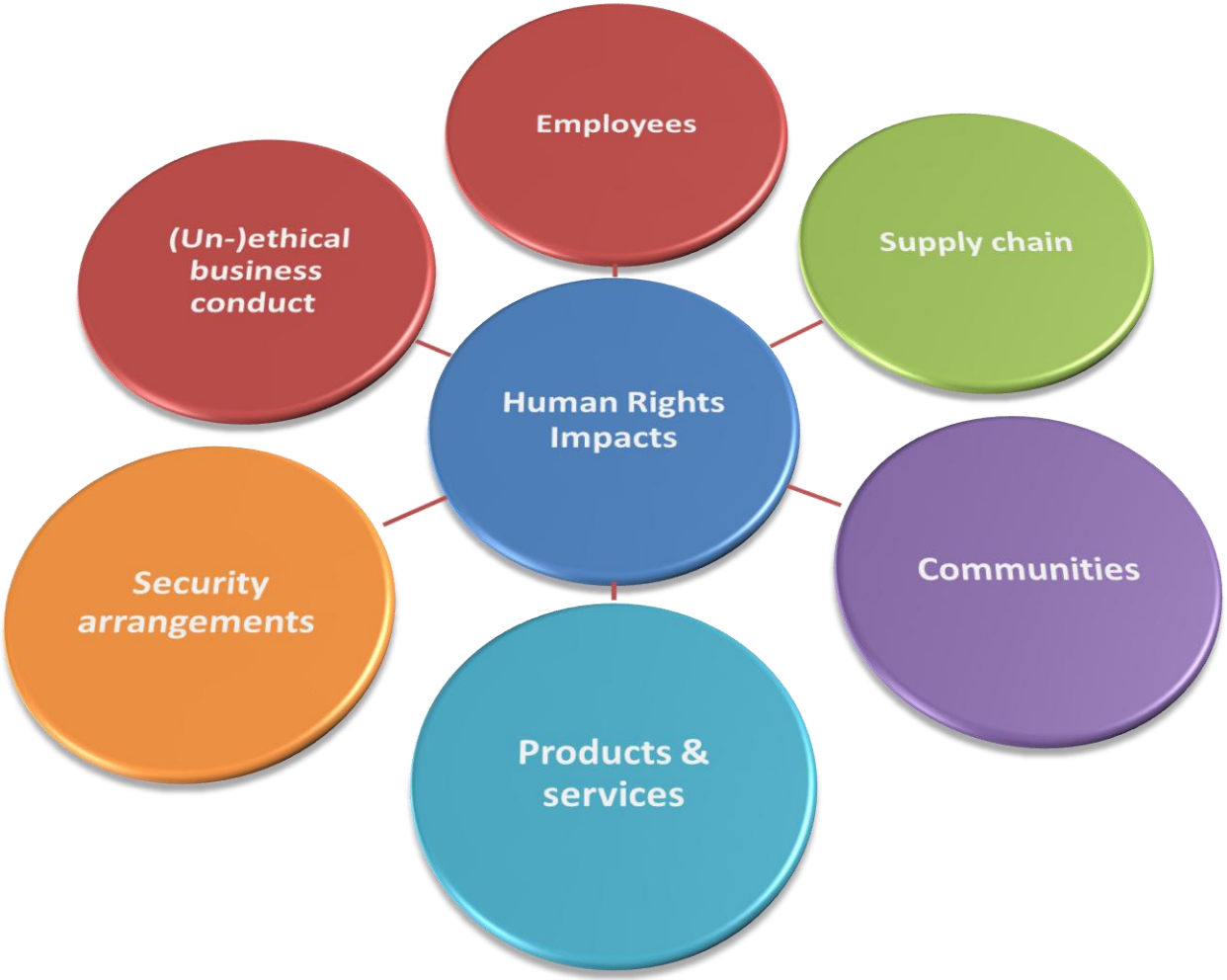
Guiding Principles 17 - 21

REMEDIATION

Guiding Principles 22

Source: http://business-humanrights.org/en/un-guiding-principles

Areas of Human Rights Impacts



Vulnerable Groups



Elderly people

Children & youth

Women

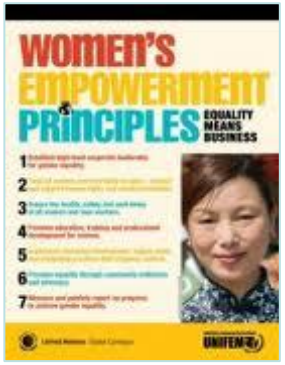
Particularly vulnerable groups

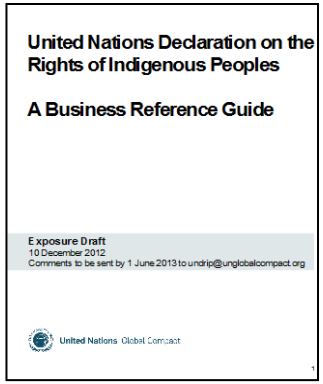
religious, ethnic and other minorities

Persons with disabi-lities

Indige-nous peoples

Migrant workers

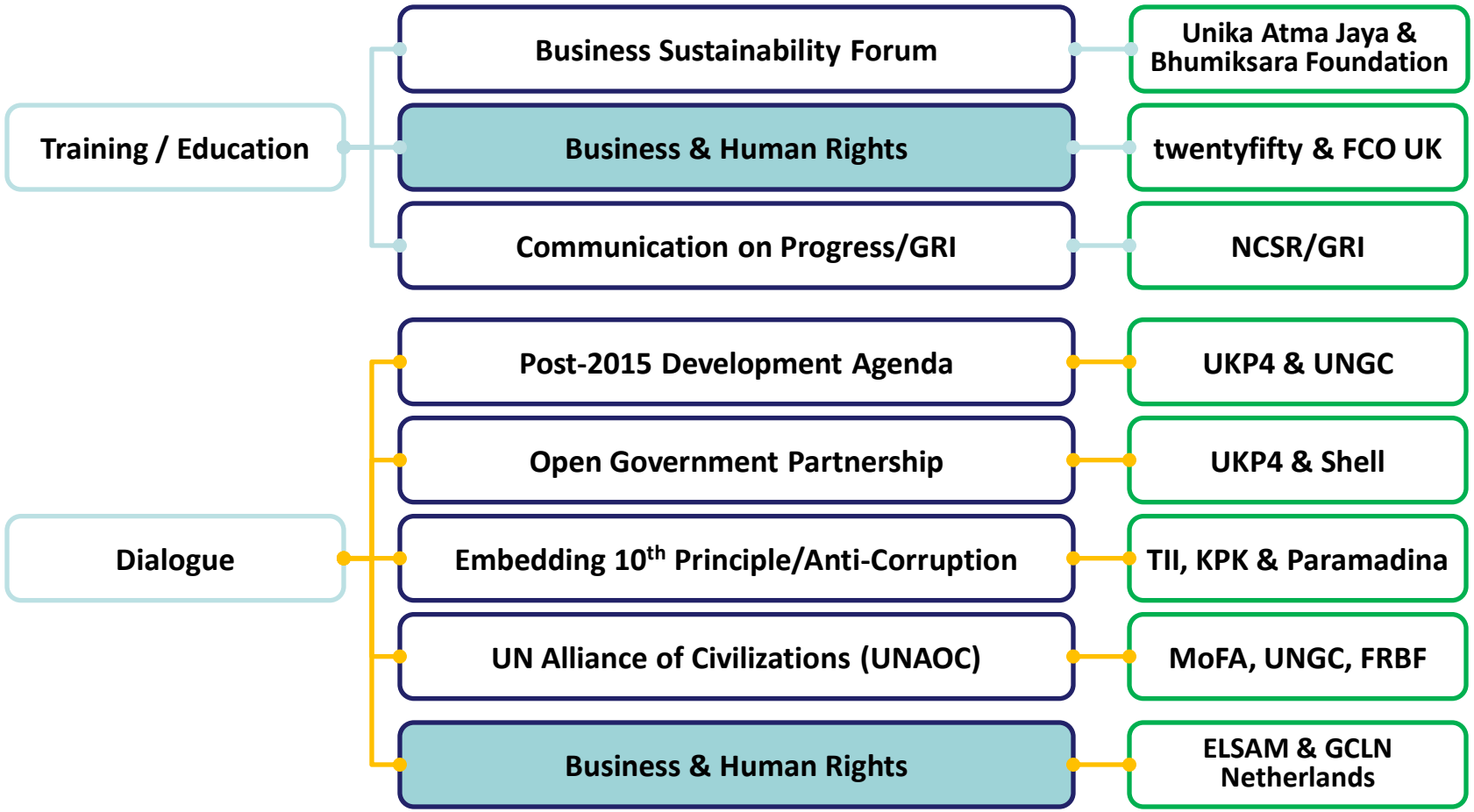




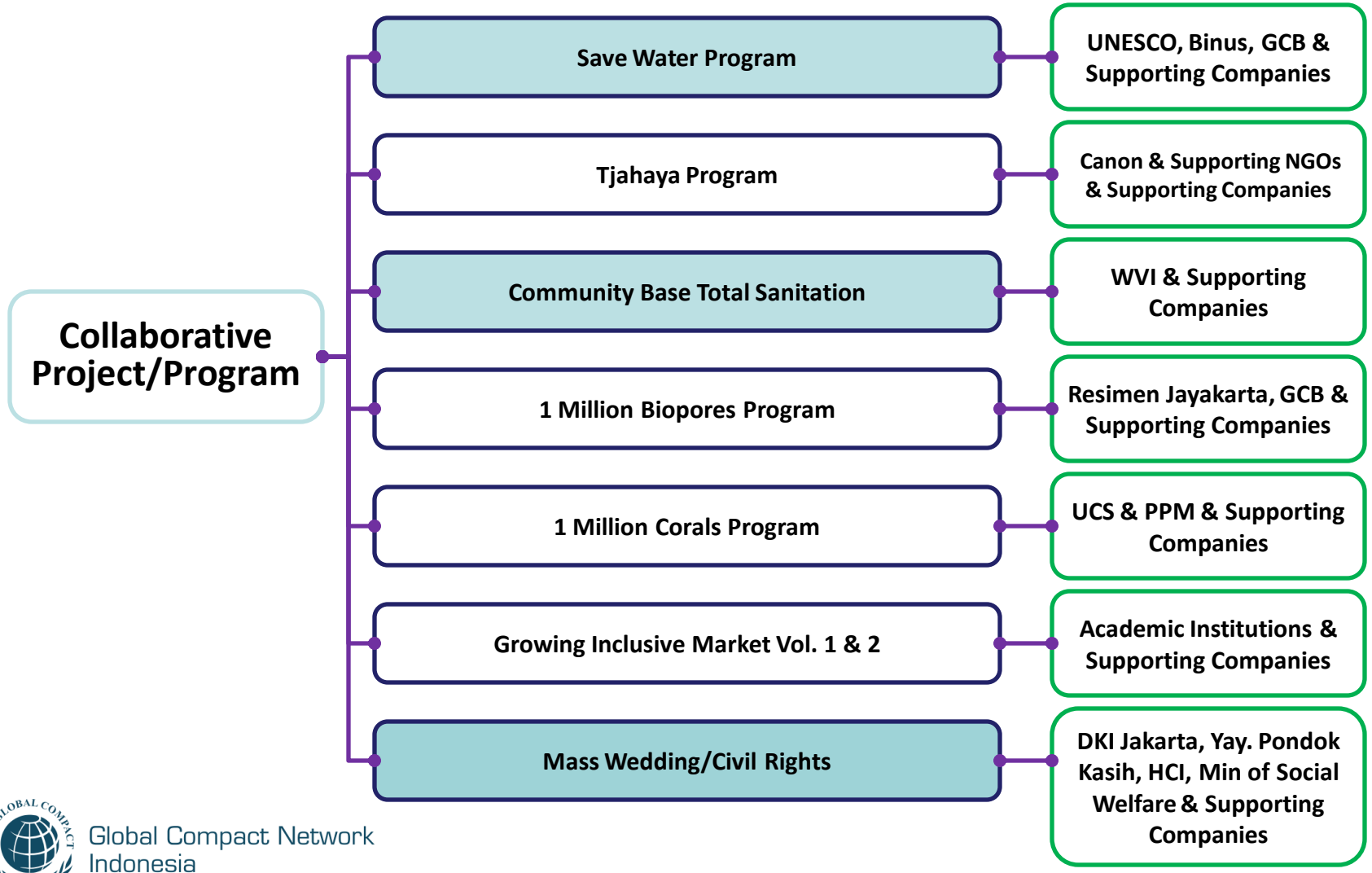


Source: twentyfifty

IGCN Initiatives



IGCN Initiatives



Global Compact Network Indonesia

A Guidance Tool for Companies

BAGAIMANA MENJALANKAN BISNIS
DENGAN MENGHORMATI
HAK ASASI MANUSIA



ELSAM

THE GLOBAL COMPACT
Network Indonesia

**Bagaimana Menjalankan Bisnis
dengan Menghormati Hak Asasi Manusia?
Sebuah Alat Panduan Bagi Perusahaan**

(*Business And Human Rights Initiative*)

Penulis
Global Compact Network Netherlands

Editor
Wahyu Wagiman dan Widiyanto

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Rully Sandra

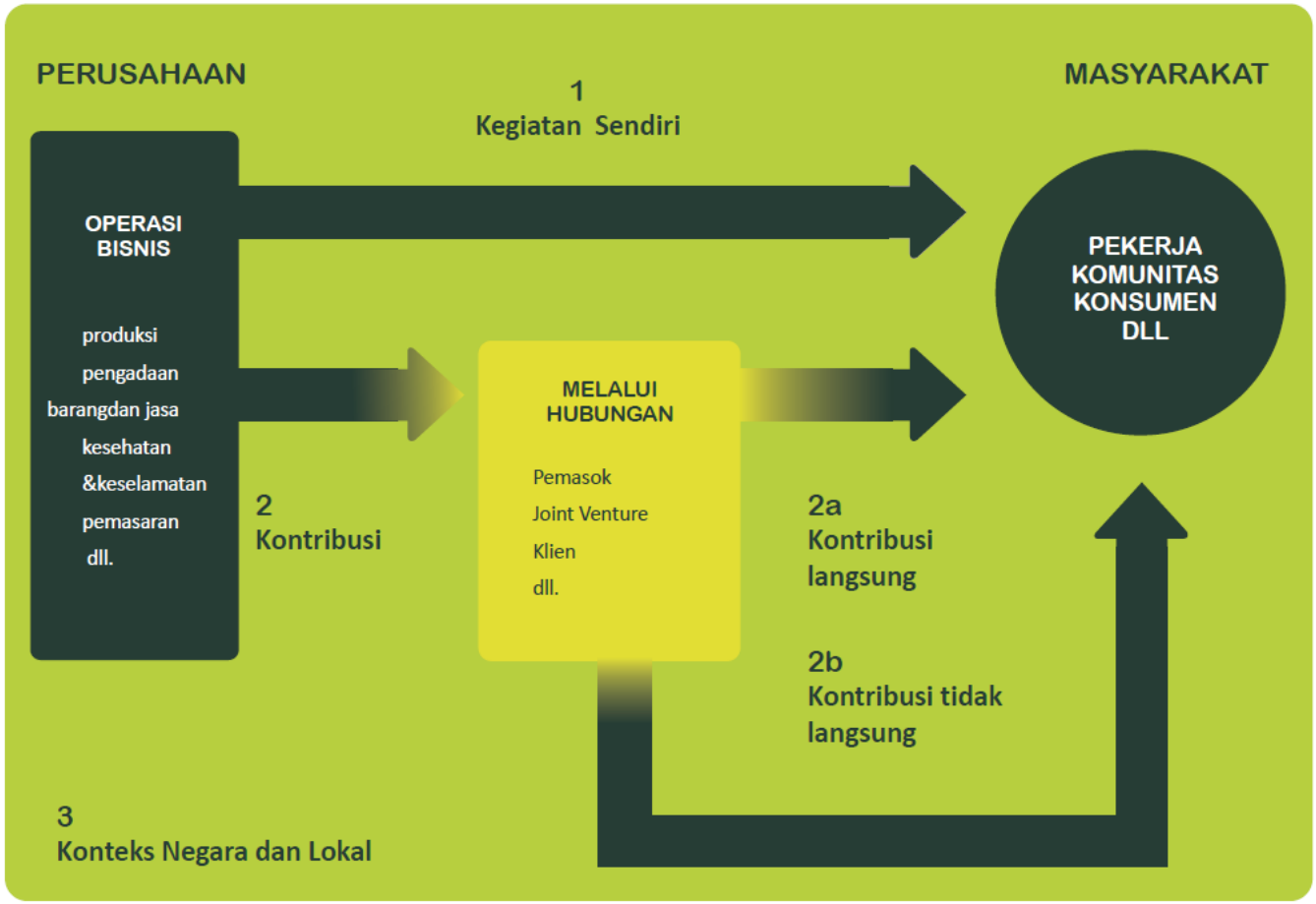
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Skema Hubungan Kemungkinan Terjadinya Pelanggaran HAM



Kegiatan Sendiri

Kegiatan perusahaan menyebabkan pelanggaran hak asasi manusia

Kontribusi Langsung

Tindakan & keputusan perusahaan memberikan tekanan pada rekan bisnis yang menyebabkan pelanggaran hak asasi manusia

Kontribusi Tidak Langsung

Perusahaan mempunyai hubungan dengan rekan bisnis yang melanggar hak asasi manusia

ELSAM LEMBAGA STUDI & ADVOKASI MASYARAKAT

THE GLOBAL COMPACT Network Indonesia

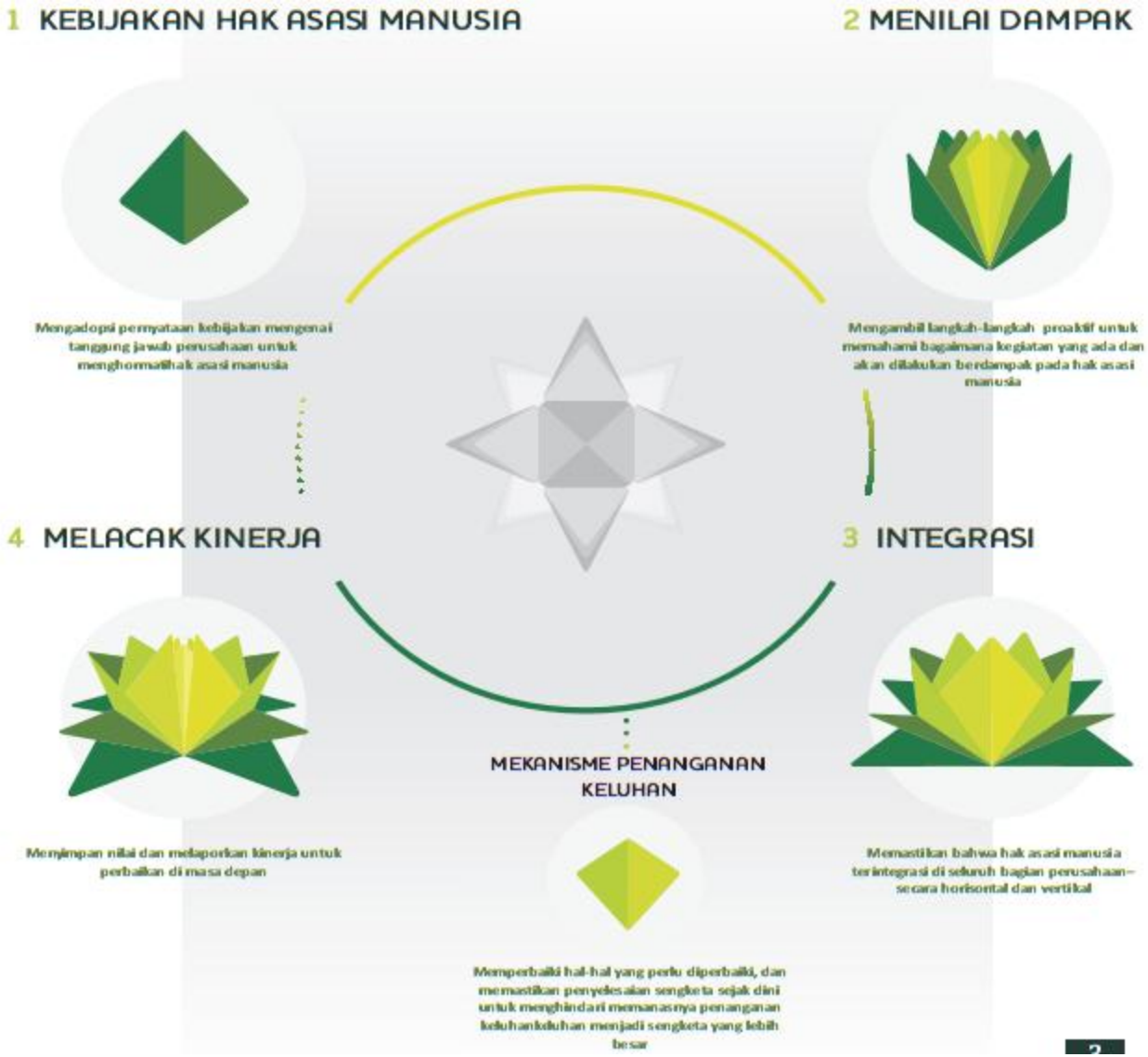
Dapat dilihat di hal. 28

Fungsi Perusahaan yang Berpotensi Memberikan Dampak + / - pada HAM

Fungsi Perusahaan	Dampak Positif	Dampak Negatif	HAM yang Kemungkinan Terkena Dampak
Fungsi Penjualan	Menyediakan barang & jasa	Karena perwakilan penjualan bekerja berdasarkan komisi, hal ini dapat mendorong mereka memberikan informasi yang salah	➢ Hak atas standar hidup yang layak ➢ Hak atas kesehatan
Sumber Daya Manusia	Memastikan bahwa staf diberikan kompensasi yang sesuai	Tes HIV/AIDS sebagai prasyarat dalah bekerja	➢ Hak untuk bekerja ➢ Hak akan non-diskriminasi
Keuangan	Memastikan pembayaran yang sesuai kepada pemerintah, pemasok, mitra & pegawai	Penundaan pembayaran kepada kontraktor menyebabkan PHK & kebangkrutan	➢ Hak untuk bekerja ➢ Hak akan non-diskriminasi
Keamanan	Keberadaan petugas keamanan meningkatkan keselamatan bagi pekerja, aset & masyarakat lokal	Personel keamanan yang menjaga pabrik menggunakan kekuatan berlebihan	➢ Hak atas hidup ➢ Hak atas keamanan pribadi
Kesehatan, Keselamatan & Lingkungan	Memastikan kondisi kerja yang aman bagi pekerja dan masyarakat lokal	Limbah buangan dari pabrik yang tidak dijaga menyebabkan ancaman kesehatan bagi penduduk lokal	➢ Hak atas kesehatan ➢ Hak atas standar hidup yang layak
Pengadaan Barang & Jasa	Mendukung pembangunan ekonomi lokal melalui pengadaan lokal	Tekanan pada pemasok menyebabkan kerja lembur yang berlebihan pada tempat produksi; harga yang rendah mendorong pemasok melakukan pemotongan upah	➢ Hak atas lingkungan kerja yang aman ➢ Hak anak
Teknologi	Masyarakat dapat berkomunikasi & mengakses informasi	Perusahaan menjual teknologi untuk kepentingan sensor dan kegiatan pengintaian	➢ Hak atas kebebasan berekspresi ➢ Hak atas privasi

Dapat dilihat di hal. 25

Unsur Inti dan Pokok Pedoman (Uji Tuntas / Due Diligence)



IGCN Business & Human Rights Working Group (B&HRWG)





1. RSPO
2. IBCSD
3. AsM Law Office
4. AMSAT International
5. INFID
6. ELSAM
7. Sawit Watch
8. Oxfam in Indonesia
9. SWITCH Indonesia
10. Atma Jaya
11. Universitas Indonesia
12. PPM Manajemen
13. Bina Nusantara
14. Rajawali Foundation
15. PT. Nestle Indonesia
16. PT. Unilever Indonesia, Tbk
17. PT. Marga Mandalasakti
18. PT. ABM Investama
19. PT Rajawali Corpora
20. PT. SMART, Tbk
21. APP Group
22. PT. Holchim Indonesia

Mass Wedding for the Poor – Fulfilling the Human Rights



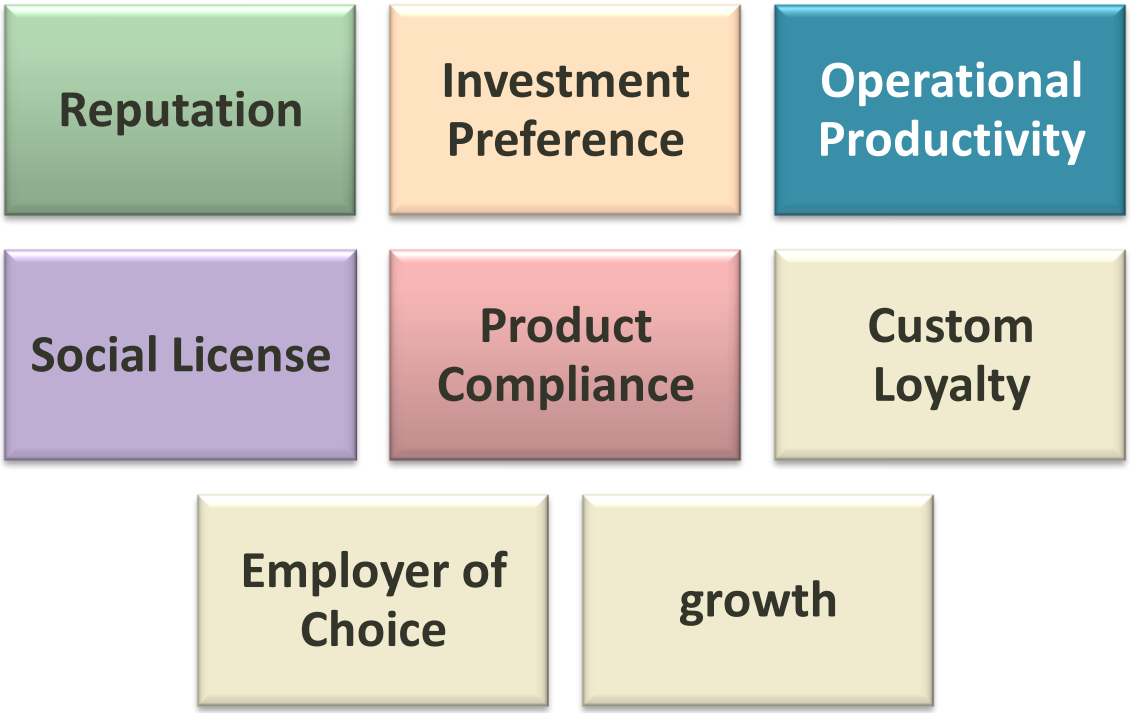
Interfaith mass wedding for 4551 couples (2011) and 5150 couples (2015) from poor families to get them to obtain wedding certificate and birth certificate for the children

Network Indonesia

Sustainable Development Goals (SDGs)



The Benefits of Getting it Right



United Nations Global Compact

A Call for Action



We can do together in a Public-Private Partnership

to develop **collaborative actions**

to create **powerful social pressure**

to **accelerate changes** and

to help **achieving the SDGs**