

## **Submission of Suggestions into 2013 Forum on Business and Human Rights**

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We propose three subject areas for (1) panel, plenary and general discussion and (2) modalities that may be conducive to engaging key stakeholders and promoting multi-stakeholder dialogue at the Forum. They focus mainly on Pillar 2, Business' responsibility to respect human rights, but pillar 1 and 2 are inter-related, of course. The subjects are areas that have not been addressed adequately or would enrich discussions on human rights and broader societal change.

### **1. Women's empowerment, sexual and reproductive rights and health within the Ruggie Framework**

Context: While the guiding principles refer to health and reproductive health in passing, the basic assumption is that the main responsibility of business relates to *occupational* health and safety. This is a very narrow scope that gives short shrift to the importance of health to women's empowerment and overall human rights. Multi-national companies and their supply chains bear a major responsibility to the women and men workers as internal and external migrants who lack access to basic health services. Even when public (and private) health services are available, they are often low quality and more importantly operate during working hours. While some corporates fund health facilities at the workplace and in communities, the vast majority suppliers do not have policies or practices that protect the health aspects of the human rights of workers and community members. The lack of emphasis on health and reproductive rights is a legacy issue in the human rights framework where other labor rights have taken precedence. There is no basis of sexual and reproductive rights and overall work health to be largely silent in dialogues about human rights and business.

Discussion topic: A plenary speaker as well as panelists can discuss the role of sexual and reproductive rights and women's empower in the context of business' role to respect human rights – in their own operations and in their supply chains. The business responsibility regarding health and women's health is poorly understood – and should be play a more visible role in the Business and Human Rights working group. A plenary speaker and a panel on the subject are appropriate.

#### **Plenary Speaker**

- Hillary Clinton, former U.S. Secretary of State (highly unlikely, but should be at the top of any list)
- UNWomen Head (Ms. Lakshmi Puri, Acting Head of UN Women or Michele Bachellet form head) and the Women's Empowerment Principles

#### **Possible Panelists**

- Gary Barker, Promundo (Brazil), a leader in changing men's behavior on gender norms
- Racheal Yeager, BSR Manager for HERproject, a women's health education program in factories and farms
- Nicole Schwab, co-founder on the Gender Equality Principles, and years of experience in health sector reform

- David Wofford, VP, RAISE Health Initiative for Workers Companies and Communities, a USAID project focusing on health standards and policies for global companies and supply chains
- UN Women/Global Compact representative (Ursula Wyndhoven, UNGC general counsel)
- Marie Stopes International representative on family planning and the workplace
- Megan White Mukuria, founder of Zanaafrica, an NGO that provides sanitary napkins to schools girls and developer of a factory for locally-produced pads in Kenya

## 2. Proactive Agenda – Broad Social Change vs. Do No Harm approach

Context: The main approach of the guiding principles and the Ruggie Framework is “Do Not Harm.” The GPs are about compliance, legal and regulatory mechanisms, and rule of law. These are necessary components of human rights, but not sufficient for changing the enabling environment to improve human rights. The human rights agenda needs to do more than focus on protection and remediation. There is much evidence from other contexts on the limitations of compliance and penalties in achieving change. This next meeting should explore other approaches to driving social change in societies that expand human rights for women, workers, indigenous peoples and all communities.

Discussion topic: Panelists will discuss the pros and cons of compliance vs. other models of social change.

### Plenary Speaker:

- Chip Bergh, CEO, Levi Strauss & Co on its Improving Worker Well-Being Initiative and the limitations of compliance
- Aaron Cramer CEO, Business for Social Responsibility

### Panelists

- Daniel Lee, Executive Director of the Levi Strauss Foundation (also a possible plenary speaker)
- Conor Boyle, Global Operations Manager, IFC/ILO Better Work programme
- Dr. Ben Schwartz, CARE, Senior Director for Health Programs, an involved in working with the private sector (Kraft in Ghana on children’s health and with Walmart on women’s empowerment in Bangladesh)
- Dottie Hatcher, GAP, on the PACE program (could also be a plenary speaker)
- Impact Investing/ Social Investment Bonds representatives
- International Finance Corporation/World Bank representative on its Performance Standards

## 3. Cross-Fertilization with other Related Fields – complexity theory, behavioral economics, economic reform, and development/complex adaptive systems

Context: The Human Rights world is dominated by lawyers, labor, and labor rights activists. The December 2012 meeting convened a rich array of representatives for the human right field writ large. But it represented a narrow range of ideas at a time when very rich thinking is taking place about social change and policies and practices to achieve it. The Business and Human Rights working group would do a great service to the discussion and promotion of human rights

to bring in thinkers and speakers from other fields – health, development, behavior change methodologies, scale-up theory/practice etc. Aret Van Heerden spoke about the importance of safe spaces in promoting dialogue and constructive problem solving. There are many models worth exploring.

Discussion: Speakers from other fields could stimulate a discussion about other thinking beyond or supportive of legal frameworks to promote human rights and achieve social change. What do we have learned from other fields that can broaden the impact of the Ruggie Framework? These speakers could also fit into topic 2 on developing a proactive agenda that goes beyond a compliance/do no harm approach

#### Speakers (Plenary or Panelists)

- a. Journalism
  - Katherine Boo, author, *Behind the Beautiful Forevers: Life, Death and Hope in a Mumbai Undercity*
- b. Behavioral economics
  - Esther Duflo, economist, MIT, author of *Poor Economics*
  - Cass Sunstein, law professor, Harvard University, author of *Nudge*
- c. Development community and Complex Adaptive systems approaches
  - Owen Barder, economist, Senior Fellow and Director for Europe at the [Center for Global Development](#),
  - Bottom of the Pyramid Stuart
- d. Behavior change/Implementation Science
  - Barbara Turner, President of University Research Co., on the “improvement collaborative” model in health as a model for human rights.
  - Dr. Richard Kohl, Learning and Leading for Large-Scale Change, formerly with Management Sciences for Health
- e. Regulatory Reform and economic empowerment
  - Caralee McLiesh, former program manager and co-founder of the Doing Business project, IFC/World Bank
  - Simeon Djankov, creator of the Doing Business series and currently the Deputy Prime Minister and Minister of Finance in Bulgaria.
  - Amanda Ellis, Deputy Secretary for the International Development Group, managing New Zealand's international aid and development program and advising the Government on international development issues.
- f. Complexity Theory and Sensemaking Frameworks
  - Dave Snowden, founder of Cognitive Edge consulting practice, Knowledge Management theorist (with IBM/DARPA), developer of the Cynefin framework for cultural change and management
  - John Kay, economist, business consultant, author of *Obliquity*.