



## Human rights benchmarks: what they tell us about access to remedy

*Parallel session*

*28 November*

*13:30-14:45*

*Organized by the Corporate Human Rights Benchmark (CHRB) and Vigeo Eiris*

**Outline:** This session will be an opportunity to analyse and compare Human Rights Benchmarks and discuss what they tell us about companies' performances and processes related to remedy. Gathering views from different stakeholders, the session will explore the challenges related to remedy access from a business and trade union perspective but also shared experience from the audience. Recommendations for further progress and better cooperation will be discussed, as well as potential risks and opportunities for companies.

### **Session objectives**

- Discuss key findings from four benchmarks (Ranking Digital Rights, Know The Chain, CHRB and Vigeo Eiris' study on Human Rights)
- Learn from key lessons & challenges
- Identify potential for progresses and lack of progresses on remedy
- Develop recommendations for further progresses
- Enable stakeholders to share experience and feedback on access to remedy and associated challenges and opportunities

### **Key discussion questions**

- How are Human Rights Benchmarks developed and what is the methodology used?
- What are the key findings from those benchmarks and how do they compare?
- What are the geographic and sectors specificities?
- How do business compare at sectors and world regions levels in terms of providing access to remedy?
- What can we learn from specific focus on sectors at stake?
- What are the main best practices related to access to remedy?
- What can we learn from some concrete case studies?

- Beside formalised commitment, what types of processes are put in place to simplify access to remedy, when necessary?
- In case of controversies, how do companies react and what kind of remediating actions do they take?
- What is the role of trade unions in such actions?
- Can trade unions use Human Rights Benchmarks as leverage to improve remediating actions?
- How do they see companies' ESG rating and Human Rights Benchmarks from their perspective?"

#### Speakers:<sup>1</sup>

- **Bennett Freeman**, Senior Advisor, Corporate Human Rights Benchmark and Senior Advisor, Know the Chain (**Moderator**)
- **Rebecca MacKinnon**, Director, Ranking Digital Rights
- **Christy Hoffman**, Deputy General Secretary, Uni Global Union
- **Juliette Laplane**, ESG Analyst specialised on Human Rights, Vigeo Eiris
- **Matthias Thorns**, International Labor Relations and Workplace Rights Manager, The Coca-Cola Company

**Format:** This parallel session (80 minutes) will be an interactive discussion based on panellists' expertise and an opportunity to debate the benefits of Human Rights Benchmarks. It will also present some concrete case studies from Vigeo Eiris, Ranking Digital Rights and CHRB database. In addition, a company and a trade union will share their experience on the issue. At least 30 minutes will be dedicated to Q&A with the audience to further discuss other case studies that could be brought forward by the audience as well as practice-oriented solutions.

**Background:** Despite some leading initiatives at national levels (French law on due diligence 2017, UK Modern Slavery Act 2015) mandatory requirements for companies to respect human rights or at least to conduct adequate due diligence to prevent breaches to such rights along their chain value remain inexistent.

Yet, the UN Guiding Principles on Business and Human Rights clearly enshrine under the international law the duty to provide remediation for adverse impacts on human rights. Companies' practices are increasingly scrutinized by NGOs, unions, asset owners and managers and CSR rating agencies, who exercise a positive pressure to make sure they are respecting fundamental human rights across all the regions in which they operate.

Companies around the globe have started to respond more or less proactively by committing and acting to respect, promote and prevent violations of fundamental human rights, employees' labour rights and non-discrimination at work, in both their operations and their supply chain. In this context, efficient remediation appears as a complex but key challenge for business which requires cooperation with stakeholders when handling the treatment of complaints or the development of grievance mechanisms.

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<sup>1</sup> Further information on speakers provided in Annex

Improving commitments, effectiveness and accountability on due diligence procedures and how to remedy abuses or irregularities is crucial to improve companies CSR performance. Yet when companies are exposed to allegations or controversies on human rights abuse, such as health and safety or labour rights in their supply chain, they often fail to disclose information related to actions undertaken to remedy victims in their public reporting. Ratings and human rights benchmarks are therefore essential to reduce information asymmetries on companies' practices.

The regular publication of independent human rights benchmarks, evidencing best practices and corrective measures is a new and promising source of information for investors and stakeholders and consequently a strong driver for improving companies' reporting on due diligence and remediation procedures.

#### **Links to background material**

- Vigeo Eiris Study on Human Rights : <http://www.vigeo-eiris.com/the-human-rights-responsibilities-of-business-in-a-changing-world/> Ranking Digital Rights : <https://rankingdigitalrights.org/>
- CHRB Study on Human Rights : <https://www.corporatebenchmark.org/> Know the Chain : <https://knowthechain.org/benchmarks/>

## **ANNEX. SPEAKERS SHORT BIOS.**

### **Christy Hoffman**

#### ***Deputy General Secretary, UNI Global Union.***

Christy Hoffman has been the Deputy General Secretary of UNI since 2010. Her work at UNI followed more than 25 years of experience as a U.S. based trade unionist, beginning with her role as the Chief Steward on the floor of a large jet engine factory and including roles as legal counsel to several large US unions. At UNI, she focuses on the implementation of UNI's "Breaking Through" strategy, which prioritises organising and the growth of unions in UNI's sectors and achieving global agreements. In 2013, she played a leading role in the negotiation of the Accord for Fire and Building Safety in Bangladesh. On policy matters, Christy manages UNI's work on accountability within the global supply chain, the OECD Guidelines and UNI's relationship with responsible investors. Christy has a law degree with honors from New York University (Order of the Coif), and a BA (Hons) with a thesis in Development Economics.

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### **Juliette Laplane**

#### ***ESG Analyst specialised on Human Rights, Vigeo Eiris.***

Juliette Laplane works at Vigeo Eiris as an ESG analyst in the Finance sector and oversees in particular the Development Banks sector's rating. She has developed an expertise on the assessment of the Human Rights' strategy of financial institutions and she is now managing the Human Rights pole of expertise of the Vigeo Eiris group. Previously, Juliette worked in the Environmental and Social risk department of Natixis CIB on the implementation of the Equator Principles. She has a degree in Business Finance from Audencia Business School (France).

@VigeoEiris

### **Bennett Freeman**

#### ***Senior Advisor, Corporate Human Rights and Know the Chain.***

Over the last 18 years of a 35-year career, Bennett Freeman has worked at the intersection of governments and international institutions; multinational corporations and investors; NGOs and civil society to promote sustainable development and respect for human rights around the world. An innovative leader in the fields of business and human rights, natural resource governance and responsible investment, he has played key roles in developing several multi-stakeholder initiatives and global standards that have strengthened corporate responsibility in industries ranging from extractives to information and communications technology. Freeman consults for multinational corporations, foundations and NGOs through Bennett Freeman Associates LLC, as a Senior Advisor for Business for Social Responsibility, a Senior Advisor for Critical Resource and a Strategic Partner for RESOLVE. Freeman is Chair of the Advisory Board of Global Witness; Board Secretary of the Global Network Initiative; a member of the Governing Board of the Natural Resources Governance Institute; a Senior Advisor to Know the Chain; and an Advisor to the Corporate Human Rights Benchmark initiative. From

2006-15, Freeman was Senior Vice President-Sustainability Research and Policy at Calvert Investments and led its environmental, social and governance analysis, shareholder advocacy and public policy initiatives. He served as a Clinton presidential appointee at the U.S. Department of State as Deputy Assistant Secretary for Democracy, Human Rights and Labor from 1999-2001.

@RankBHR @KnowTheChain

## **Matthias Thorns**

### ***International Labor Relations and Workplace Rights Manager, The Coca-Cola Company***

Matthias Thorns joined The Coca Cola Company in 2016 as the international labour relations and workplace rights manager. His previous professional experiences include:

- Senior Adviser, International Organisation of Employers (IOE), Geneva
- Deputy Director, European and International Affairs, Confederation of German Employers (BDA), Berlin
- Adviser, European and International Affairs, Confederation of German Employers (BDA), Berlin
- Adviser, Social Affairs, Business Europe, Brussel

Matthias holds a master's degree in history and philosophy from the Universities of Hannover and Bristol and a postgraduate degree in European studies from the University of Hannover.

@CocaCola @MatthiasThorns

## **Rebecca MacKinnon**

### ***Director, Ranking Digital Rights.***

Rebecca MacKinnon directs the Ranking Digital Rights project at New America, evaluating internet, mobile, and telecommunications companies on their respect for users' privacy, security and freedom of expression. She is co-founder of the citizen media network Global Voices and author of *Consent of the Networked: The Worldwide Struggle For Internet Freedom*. She is on the Board of Directors of the Committee to Protect Journalists and was a founding board member of the Global Network Initiative. Fluent in Mandarin Chinese, MacKinnon was CNN's Bureau Chief and correspondent in China and Japan between 1998-2004. She has taught at the University of Hong Kong and the University of Pennsylvania Law School and held fellowships at Harvard's Shorenstein and Berkman Centers, the Open Society Foundations, and Princeton's Center for Information Technology Policy. She received her AB magna cum laude from Harvard University, was a Fulbright scholar in Taiwan, and currently lives in Washington DC.

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