

ESSENTIAL STEPS - BACKGROUND NOTE

Background

The Business Leaders Initiative on Human Rights (BLIHR) collectively developed a set of Essential Steps to be used as a key component within the Matrix tool. The BLIHR companies originally made a public commitment to investigate the potential for such a document in June 2006 in the BLIHR#3 report which states:

“We are interested in how a level playing field of ‘minimum standards’ (the ‘essential’ actions of business) can be developed across the full range of business sectors and with universal applicability.”

As the United Nations Human Rights Council has confirmed, businesses have a responsibility to respect internationally recognised human rights. As a result, it is critically important for businesses to understand the concrete actions they must take in order to apply these broadly recognised principles in their day-to-day business operations. The Essential Steps are designed to assist with this process by pointing to the actions that companies must take, as a minimum, to meet this responsibility. This is just a starting point – a level playing field across all business sectors and geographies. There will be other more specific responsibilities for any company depending on their business sector and geographic locality. These steps are designed to set out basic expectations for companies with respect to human rights.

Timeframe

The first draft of the “minimum standards” was discussed at the BLIHR Working Group Meeting in February 2007 in Paris. What followed was a drafting process involving human rights experts and representatives of various business functions within the BLIHR companies. In May 2008 a live drafting exercise took place with company representatives and key human rights experts. In addition to the focused sessions, comments were collected at various points in between BLIHR Working Group meetings and debated by a steering group made up of companies and human rights advisors.

The Essential Steps are the product of an exercise carried out by the BLIHR members and have not been subject to extensive consultation procedures. As such, we welcome comments from a wide range of stakeholders.

The final version of the Essential Steps is also available in full on the home page of the website for the Guide to Integrating Human Rights into Business Practice. The Essential Steps include a one-page Introduction (see below) carefully drafted to contextualize the steps and the actions required.

Content

The Essential Steps are based on the content of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and several ILO Conventions including the core conventions on freedom of association, forced labour, child labour and discrimination.

Available expertise

It is highly recommended that when companies use the Essential Steps internally they draw upon the

expertise of one or more of the corporate lawyers previously involved with the BLIHR process such as John Sherman (Harvard University, formerly National Grid plc), Mark Nordstrom (General Electric) or Sune Skadegaard Thorsen (Global CSR).

Please contact info@blihr.org for more details

INTRODUCTION TO THE ESSENTIAL STEPS

Businesses have an important role to play in the realisation of human rights around the world, including those of stakeholders such as shareholders, employees, customers, suppliers, members of communities, and many others.

The BLIHR companies believe that business must operate in a manner that respects internationally recognised human rights, including those rights set forth in the Universal Declaration of Human Rights, its associated covenants (collectively, the International Bill of Human Rights) and the international agreements inspired by them. We believe these rights are inherent rights of all humans that stem simply from the fact that they are human.

Set forth below are the essential steps that we believe businesses should take to respect human rights. This is not an exhaustive list of steps. They are dynamic in nature. Companies may choose to take additional steps to enable the realisation of the human rights of their stakeholders; the essential steps listed here are the starting point, not the end point, for that discussion. We recognise that not all companies are taking all of these steps at this time, but we believe it is necessary that they establish a plan of action to do so, and take steps towards realising that goal as soon as reasonably practicable within the context of their operations. We also recognise that as a result of unique facts, some steps may not apply to a particular company, but that conclusion should not be made until an internal assessment processes confirms that this is the case.

In addition, we believe that businesses must not be complicit in the violation of any of the rights, even rights not typically considered applicable in a business context. Companies can potentially affect all human rights and be complicit in their violation.

We note that environmental impact, corruption and bribery also directly impact human rights, and we consider it critical for companies to take these impacts into account.

We acknowledge that business can violate or be complicit in violations of international criminal laws and humanitarian laws that are not covered here, and business should also take steps to avoid violations or complicity in these areas.

Finally, the BLIHR companies acknowledge that companies must comply with applicable local, national and international law, whether or not it is enforced, and respect the principles of relevant international law where local or national law is below or silent on this standard. Where local or national law conflicts with the essential steps set out below, the BLIHR companies believe that businesses should strive to uphold the spirit of internationally recognised human rights while still complying with law.