



CORPORATE RESPONSIBILITY FOR HUMAN RIGHTS

THE ISSUE:

While companies can be a force for good, many are implicated in human rights abuses around the world. Attacks on human rights defenders confronting corporate human rights abuses are on the rise: this includes activists challenging corporate practices overseas and within the United States. Activists have been killed, jailed and harassed, including through Strategic Litigation Against Public Participation (SLAPPs). The U.S. government has inadequate, inconsistent and unenforced human rights standards for corporations, including their own government contractors, from the arms industry to the private immigration detention industry, to companies that supply goods to the government. Corporate complicity in abuses also includes environmental violations such as contributing to climate change and violation of Indigenous rights such as the failure to secure free, prior, and informed consent from Indigenous communities when business projects are proposed for Indigenous lands.

According to the UN Guiding Principles on Business and Human Rights, all companies must ensure that their business activities do not harm human rights. They must undertake a due diligence process to assess and address their actual and potential human rights impacts and communicate the measures they have taken. Furthermore, governments must ensure that companies fulfill their human rights responsibilities and hold them to account when they are complicit in human rights abuses. Binding human rights standards, including mandatory human rights due diligence, should be incorporated at all levels of government policy, including those related to procurement, trade, development and international financial institutions.

Companies must also be held accountable for their failure to identify and address negative human rights impacts associated with the different aspects of their business operations, including supply chains, investments and financing. Corporations can never be above or beyond the law. Where they have violated the law, they should face civil and criminal responsibility for their actions.

RECOMMENDATIONS:

The White House should convene an interdepartmental committee to develop a plan to implement mandatory human rights due diligence standards for business operations, investments, business relations and global supply chains at the national level. Among the issues the committee should address include:

- Introducing a corporate duty of care towards individuals and communities affected by companies' global operations;
- Tackling obstacles to access to remedy for victims of business-related human rights harm;

- Holding US institutions to account when they fail to implement their human rights responsibilities under the UN Guiding Principles on Business and Human Rights and other relevant international standards for responsible corporate conduct;
- Ensuring that trade policies and agreements are not harmful to the enjoyment of human rights within and outside of the US;
- Ensuring the protection of human rights defenders and fostering an enabling environment for their efforts;
- Enabling a positive engagement with the process towards the establishment of a legally binding instrument on business and human rights at the United Nations.

The Executive should publicly release an annual report for public accountability on progress towards the implementation of mandatory due diligence standards.

FOR MORE INFORMATION, PLEASE CONTACT:

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