



Regional Workshop

“PARTNERS IN RIGHTS - Promoting Regional Environmental Sustainability and Human Rights through Innovative Relationships between Businesses, Civil Society and Governments”

Bangkok, 27-28 May 2015



Presenters at the workshop. Photo: Sigrid Krajewski

SUMMARY REPORT
2015-07-06

Introduction

The Embassy of Sweden in Bangkok held its annual regional workshop on a topic that is increasingly important for Swedish Development Cooperation – how partnerships and innovative relationships between civil society, businesses and government can contribute to more equitable, socially and environmentally sustainable development. The theme was a continuation of last year's workshop which dealt with the interaction between environmental sustainability and human rights. One of the key messages from that workshop was that whilst economic growth would continue to dominate political agendas in Asia, there was a need to create a better informed debate around environmental sustainability, human rights and equality. This started a discussion about how to develop relationships between businesses, civil society organisations (CSOs) and government – a discussion that this year's workshop picked up and took forward.

Sweden is keen to continue to promote mainstreaming of environmental sustainability and human rights into the region's development process. By organizing the workshop the Embassy aimed to provide a forum for regional dialogue and capacity building for partners and others in order to promote understanding of each other's roles, working methods and opportunities for collaboration. Central to the workshop was engagement with the United Nations Guiding Principles on Business and Human Rights (UNGPs)¹ which represent a standard for preventing and addressing the risk of adverse impacts on human rights linked to business activity. While states remain the main duty bearers of human rights obligations, it is increasingly acknowledged that the private sector has a responsibility to respect and promote of human rights in all its activities. There is a growing desire amongst many leading businesses and CSOs to broaden their partnerships and become even more ambitious in tackling a new emerging sustainable development agenda and achieving the new Sustainable Development Goals. In addition to promoting responsible and inclusive business, there is significant room for businesses and CSOs to directly engage with each other to develop more integrated approaches and new models for development.

We hope that we with this workshop provided some practical ideas about how CSOs and businesses can promote poverty alleviation and gender equality, support improved regional approaches for integrating human rights and the environment, based on the UNGPs.

More than 150 people from CSOs, private sector, academia, think-tanks, multilateral and bilateral institutions from the region participated during the Regional Workshop on 27-28 May 2015. We would like to thank all of you who participated, making it such an interesting, memorable and fruitful event². We look forward to continue to facilitate for effective development partnership building in the region.

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http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf?v=1392752313000/_/jcr:system/jcr:versionstorage/12/52/13/125213a0-e4bc-4a15-bb96-9930bb8fb6a1/1.3/jcr:frozensnode

² The workshop was planned jointly by the Development Cooperation Section (Regional Asia team) of the Embassy of Sweden in Bangkok, CSR Asia whose chairman Richard Welford also facilitated the meeting and staff from Sida's Helpdesk for Environment and Climate Change. A complete workshop report, agenda, presentations and additional material from the workshop are posted on the embassy website: <http://www.swedenabroad.com/en-GB/Embassies/Bangkok/Development-Cooperation/Annual-Workshop-sys/2014-Interaction-between-Environmental-Sustainability-and-a-Human-Rights-Based-Approach-sys/>

Key messages from presentations and discussions at the workshop

Day 1: BUILDING PARTNERSHIPS TO PROMOTE THE PROTECTION OF HUMAN RIGHTS AND REGIONAL ENVIRONMENTAL SUSTAINABILITY

Session 1: Setting the Scene

Welcome

Anne-Charlotte Malm, Head of Development Cooperation, Embassy of Sweden opened the session by welcoming presenters and participants. She highlighted that Sweden has seen good improvements in their cooperation programs when it comes to gender equality and anti-corruption as an effect from previous years workshops and that there were high expectations that this workshop also will lead to progress.

Introduction from the facilitator

Dr Richard Welford, Chair of CSR Asia, stressed that the participants were invited to explore how partnerships can help us address development challenges.

Input from speakers

Dr Michael Addo, Chair of the United Nations Working Group on Business and Human Rights presented the UNGPs. The UNGPs will help explore options and make recommendations to strengthen the protection of business related adverse human rights impacts and can in the form of National Action Plans (NAPs) – context specific and based on a baseline assessment by multi-stakeholder initiatives – help states develop a “smart mix” of mandatory and voluntary measures.

Tessa Khan, Programme Officer Asia Pacific Forum on Women, Law and Development, APWLD, spoke next. She emphasized the need for an international treaty that will help to clarify the exact scope of the human rights responsibilities of businesses. Given that the UNGPs recognize the right to access a legal remedy against businesses, there must be some prior legal obligation of businesses from which that liability flows. She also called for a greater legal clarity to address the jurisdictional challenges that arise when seeking a remedy against a company that has activities across borders, which is increasingly common in global value chains.

Amit Vatsyayan, Regional Manager - Economic Empowerment, Oxfam GB Asia highlighted the plight of the Rohingyas and the difficulties of the South East Asian countries to address and protect their rights despite the existence of the AICHR³. He found this situation quite symbolic and that it pointed to what is needed in the region – binding engagements and agreements and capacity building at all government levels to address and protect human rights for its citizens. Practical partnership solutions between private sector and NGOs can change the situation for people in poverty.

³ ASEAN International Charter on Human Rights

Dr Seree Nonthasoot, Thailand Representative at ASEAN Intergovernmental Commission on Human Rights introduced the role of Regional Human Rights Mechanisms. Generally, regional mechanisms like the AICHR serves as a nexus between states, businesses and CSOs in the relevant region. In ASEAN, the AICHR is an essential regional component in providing a platform to address/redress regional issues, particularly those that are transboundary such as intraregional investment, migration and environment.

Session 2: Private Sector and CSO Partnerships

Tim Bishop, Regional Private Sector Specialist, Asia Pacific, CARE International presented CARE's successful project "Addressing Rights for Beer Sellers in Cambodia" which started in 2006. CARE supported Heineken and other beer companies they partner with to set up BSIC (Beer Selling Industry Cambodia). The project included support for legal registration, developing companies' business model, and technical support for developing their code of conduct to developed training modules for beer companies in Cambodia to deliver to their workers and trained internal trainers.

Vicky Bowman, Director, Myanmar Centre for Responsible Business (MCRB) introduced the work of MCRB. Its objective is to provide an effective and legitimate platform for the creation of knowledge, capacity and dialogue concerning responsible business in Myanmar, based on local needs and international standards, which results in more responsible business practices

Johan Stellansson, Relations Responsible for Bangladesh, Pakistan, India and Sri Lanka, H&M presented its partnership with WWF -"Responsible Water Use". By launching the project H&M commits to contributing to the responsible use of water resources throughout the entire life cycle of the garment. The strategy has been developed in line with WWF's water stewardship steps⁴

Session 3: Building Effective Partnerships

This session was structured in another format as participants were free to choose to join one break-out session around the following key themes:

Links to media, Local community linkages, Gender transformation, National Action Plans

After more than two hours of intensive brain-storming the break-out groups reported back the following conclusions and ideas:

- Media in SEA is more open to collaborating and training than in the West. The relationships are not as adversarial. Try to engage them one on one. Skills and knowledge training is still highly needed in the region - many journalists don't understand the substance, contexts or ethics

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http://wwf.panda.org/what_we_do/how_we_work/conservation/freshwater/water_management/stewardship_steps/

- Dealing with a fundamentally complex dynamic from the start = private sector (PS) must invest/engage in a way that respects local community voice/needs. Simultaneously, there is a complex eco-system found within local communities to navigate and an increasing competition over resources and inadequate regulatory controls presiding over this.
- Low skills training for women in companies are problematic as they are excluded from business development, also cultural and social obstacles for women to take part in management
- For implementing NAPs consensus needs to be accomplished at all levels. Government must take responsibility for being the driving force behind setting up a NAP. Can't delegate!
- Next ASEAN Summit could be an important jumping-off point for a regional approach to implementing NAPs

Session 4: Dealing with Development Dilemmas

Tracy Farrell, Greater Mekong Program Senior Technical Director, Conservation International (CI) addressed many important issues on this subject, among them if there need to be a trade-off between development and conservation, Her answer was that the private sector needs to consider that the main risk is in not understanding the role natural capital plays in providing and sustaining goods and services. And that conservation is really about working to secure the resources that are the foundation for development and economic growth.

Jane Lawton, Asia Communications and Private Sector Engagement Head, IUCN reflected also on trade-offs between development and conservation. She said that it was more adequate to find out how to turn trade-offs into win-wins by taking a holistic, integrated approach on business and development interventions and admitting that ecosystem health, health of human communities and sustainable business operations are interconnected and interdependent.

Johan Adler, Vice President - Government and Industry Relations, South East Asia and Oceania, Ericsson reported on the company's Human Rights Impact Assessment (HRIA) process and outputs in Myanmar. The HRIA is a framework for ensuring respect for human rights within business operations; it helps to avoid complicity in any unintended use of products, services or solutions and identifies actions to mitigate risks.

Joan Carling, Regional Director, Asia Indigenous People Pact described how the code and principles of indigenous peoples can set the framework of how development and conservation can be achieved as complementary for the survival of humanity and that sustainable use and management of resources underpin how we approach development.

Day 2: INNOVATING TO DEVELOP RELATIONSHIPS THAT ARE INCLUSIVE AND TACKLE HUMAN RIGHTS AND ENVIRONMENTAL DILEMMAS

Session 5: Creating Innovative Alliances

Ronnakorn Triraganon, Capacity Development and Technical Services, RECOFTC spoke on why innovative partnership matters in community forestry. He said that after years of lobbying by NGOs, the private sector involved in agriculture and forestry is realizing that besides improving sustainable environmental practices they need to apply good governance practices when engaging with communities.

Sean Panton, Director of Corporate Social Responsibility & Corporate Experiences, JW Marriott Phuket, presented the hotel chain Marriott's sustainability work⁵ and outlined the following key factors for successful partnerships between Marriott and local partners:

- Partners are engaged in all aspects and levels of the relationship and made to feel part of the team not an "outsider"
- Partners assist in developing the training materials and support training programs for teams
- Partners plan and co-facilitate program engagement activities, conferences, workshops etc.

Carlo Figà Talamanca, CEO, Sustainable Green Fuel Enterprise (SGFE) which was created in 2008 with the aim of alleviating poverty and reducing deforestation in Cambodia, as well as improving waste management in urban areas, by developing a local economic activity: manufacturing charcoal using organic waste.

Session 6: Multi-stakeholder Cooperation

A panel discussion was organized with:

Mr Mohammed Zahidullah (Zaid) Sustainability Manager at DBL Christy Owen, Mekong Partnership for the Environment - Chief of Party, Pact

Chea Leng, Vice Chief, EIA Office and Director Division of Coastal Resource Management - Cambodia

Nguyen Ngoc Ly, Director, Center for Environment and Community Research - Vietnam

Vorapong Vorasuntharoso, Government Affairs Director - South East Asia, Dow Chemical Thailand

Chaired by Ms Owen the panel elaborated on the question of the benefits of MSIs⁶ for large-scale development and provided the following insights:

- MSIs are not an opportunity but a must; they reduce friction among stakeholders and provide a wider range of knowledge and solutions to a problem.
- MSIs promote quicker decision-making processes as more information is "brought to the table" from the very start

⁵ A comprehensive presentation can be found in their 2014 Sustainability Report

http://www.marriott.com/Multimedia/PDF/CorporateResponsibility/2014SustainRpt_FNL_lr.pdf

⁶ Multi-stakeholder Initiatives

- MSIs are prerequisites for better EIA processes, a wider array of information and viewpoints can be assembled during the data collection and regular stakeholder meetings can provide important “reality checks” for the consultants drafting the EIA.

Session 7: Financial Institutions and Safeguards around Environmental, Social and Governance (ESG) Issues

Petra Hamers, Private Sector Engagement Financial Sector, Oxfam Novib presented the organization’s “Fair Finance Guide” (FFG) which is a web-based tool enabling bank clients to make their bank more socially responsible, fair and sustainable, by assessing and scoring bank policies on a wide range of topics against international standards of sustainability and human rights.

Jeanne Stampe, Asia Finance and Commodities Specialist, WWF walked us through WWF’s recent report “Sustainable Finance in Singapore, Indonesia and Malaysia: A review of financiers’ ESG practices, disclosure standards and regulations”. The report assesses and addresses the gaps between domestic financial practices and the processes needed to contribute to a sustainable economy.

Daniel King, Mekong and Myanmar Programme Director, EarthRights elaborated on the potential next steps for multi-stakeholder collaboration to strengthen social and environmental practices in project finance in ASEAN. He stated that banks in the region are funding mega development projects and in many high profile cases, EarthRights has found that adequate social and environmental safeguards have not been applied and finds that the ASEAN banks are in an important position to influence whether social and environmental safeguards are applied.

Ben Ridley, Sustainability Affairs - Asia Pacific Regional Head, Credit Suisse (CS) presented his bank’s work on safeguards around ESG Issues. He introduced CS’ Policy on Reputational Risk which says that “it is the responsibility of every employee to assess the potential risk(s) of any transaction and consider making a submission to the Reputational Risk Review Process”. CS has also been instrumental in launching the “Thun Group of Banks” which aims to agree on a shared interpretation of what the UNGPs mean for the banking sector. CS contributed to a discussion paper proposing measures to operationalize the Principles, focusing on Policy Development and Due Diligence

Final Session: Partnerships for the Future

This final session involved structured break-out discussions to consider practical next steps in developing innovative partnerships, MSIs, inclusive business and new regional networks to protect human rights and the environment.

Some of the key messages from the session were:

- Identify a specific commodity and build partnership across the value chain!
- Identify key change agents/champions at *all* levels!

- Constant dialogue is key!
- At times, a neutral facilitator might be needed to mediate issues/gaps arising from the partnership
- Share and “market” successful partnership examples between companies and communities
Identify new sectors (e.g banking) where partnerships are lacking

Dr Welford summed up ideas emanating from the discussions highlighting the following:

- Challenge old assumptions and spread the ideas of partnerships as the way forward
- Upscale via industry associations
- Find and make use of common ground, plans and objectives
- Be innovative of where to find partners; media, banks, insurance, trade associations, stock exchanges

Wrap-up and closing remarks

Richard Welford, Chairman of CSR Asia

Dr Welford started his summary of the workshop by stating that the two days had been amazingly useful. He listed ten good ideas that had emanated from the meeting:

1. Don't fix the problems of the past, develop the future
2. Partnerships shall be strategic, innovative, mutual and produce win-win
3. Best practice will be replicable and scalable
4. Moving beyond old-style philanthropy, no more “check writing”
5. Conservation and development should not involve trade-offs, win-win situations should be the norm. Conservation efforts that protect human rights are not anti-development!
6. Human rights, gender and environment are interrelated in successful partnerships
7. We should make demands on business that they are willing to take advice from development CSOs on working with communities.
8. Business seldom possesses development and environment skills but is willing to learn!
9. A lot more capacity building across all sectors is needed but events like this help
10. No single actor can “produce” development, no option but partnerships!

Anne-Charlotte Malm, Head of Development Cooperation Section, Embassy of Sweden

Ms Malm said that she had learned a lot from the workshop and made many new acquaintances which were one of the purposes of the meeting; to provide a space that benefits cooperation.

She emphasized that partnerships don't have to be complex, the cases that have been presented during the meeting prove this, we need to take risks and challenges into account but there is no other way forward to sustainable development.