



1. Importance of the subject

Human rights are part of the inherent characteristics of individuals and should be respected not only by international and governmental organisms, but also all private entity that has the capacity to impact positively or negatively on the welfare of others.

In direct relation with human rights there is a category that refers to civil and political rights, while the second refers to social, cultural and economical topics. These categories are separate and specifically described in two international agreements that are part of the International Bill of Human Rights and their fundamental instruments, where tools are established, international agreements and the Universal Declaration of Human Rights which together form the basis of international standards for human rights.

The role of an organization to respect and implement human rights within and outside their circle of influence is extremely important, because it can take a stand and positive vision for human relations and resource development that will allow not only improve the quality of the organizational environment, but also improve the profit margin for value added goods and services.

That's why although the legislation emphasizes the interaction between the State and people to achieve, respect, realize and protect human rights, organizations benefit from a social and international order which have the responsibility to respect and influence for the benefit of human rights of individuals.

At the time when the State fails in compliance with human rights, the organization must be able and has the responsibility to respect them. Where should have the commitment to assume a due diligence, contributing to decisions that transcend beyond the usual business activities, creating opportunities for the company, suppliers, or other related organizations. However, it is important that the company evaluates all those positive or negative impacts with his associated parties and employees, and to consider the support and awareness to promote human rights.

2. Definitions

Human rights: refers to the inherent, universal, interdependent, indivisible and inalienable rights that as human being are merited, settling into two categories. The first is composed by civil and political rights, while the second by social, cultural and economical rights.

Due diligence: is a process in which an organization is analyzed in a proactive and comprehensive order to identify adverse impacts on environment, economics and social issues. By determining actions and measures to decide what can generate benefits to the company. Can be used as an analytical tool for partner organizations in which you want to know the status regarding human rights.

Complicity: derived from the social expectations of behavior in the broad sense in this context, when an organization support others to commit reprehensible acts that are inconsistent or disrespectful of international norms of behavior, or committed with the knowledge of the social, economic and environmental due diligence.

Resolution of complaints: resolution mechanisms for stakeholders and organizational usage about disputes and complaints related to the human rights impact from the decisions and activities of an organization.

Discrimination: any distinction, exclusion or preference which has the effect of nullifying the equal treatment or opportunities when such consideration is based on prejudice rather than legitimate reasons. The grounds for unlawful discrimination include, among others, the following: race, color, gender, age, language, property, nationality, or country (including migrants), religion, ethnic or social origin, caste, economic reasons disability, pregnancy, belonging to an indigenous people, trade union membership, political affiliation or political opinion or otherwise, marital status, family status, personal relationships (including sexual orientation) and health (for example HIV- AIDS).

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*Based on: ISO 26000:2010. Guidance on social responsibility.



3. Self-assessment guide on critical issues related to the subject

In regard to human rights, the organization should take into account the following considerations:

Issue 1: Due Diligence

- The organization ensures the existence of an integrated human rights policy, which gives relevant guidance to those who are related or involved in their activities?
- Develops actions to diminish the negative impacts generated by its activities and decisions?
- Includes the instruments to assess how might be affected the human rights because of the existing and proposed activities?
- Keeps records of performance over time, to allow adjustments, establish priorities and appropriate approach?

Issue 2: Situations of risk for human rights

- The organization promotes and defends human rights enforcement?
- Takes decisions based primarily on human rights respect?
- Strives to implement or enhance the process of due diligence in case of risk situations warrant?
- Do not supports or generated human rights abuses, but looks as mitigating impacts when making decisions and actions?

Issue 3: To avoid complicity

- Makes sure to carry out its activities in accordance with national law and international law, not to displace people from their land illegally, while in turn seek various solutions and seeks adequate compensation for affected parties?
- Knows the environmental and social conditions of which proceeds the goods and services for the organization?
- Implements the due diligence to check and ensure that there is no participation or support for any kind of human rights violations caused by public security forces?
- Checks that the security measures respects human rights in line with the law enforcement standards and international standards, including training of personnel and the existence of a complaints mechanism?
- Deny any alliance with formal or informal counterparts that during or after the contract commits abuses against human rights?
- Rejects to provide goods or services that could be used by others to abuse or violate human rights?
- Considers taking actions or makes public statements against the abuses of human rights?

Issue 4: Resolution of complaints

- Respects the right of aggrieved parties to resolve through alternative mechanisms?
- Maintains procedures and time periods that are clearly supported by accurate monitoring to any result and establish mechanisms for resolution?
- Provides adequate weight to the public interest in the process while ensuring proper confidentiality to the parties involved?
- Ensures that aggrieved parties have access to advice, knowledge and information to get a fair process?
- Communicates and make public the existence of mechanisms for the resolution, and offer support and assistance to members of the organization that may have to interpret the communication barriers?
- Includes transparent structures, clear and independent governance, permitting the interference of the involved parties through dialogue and mediation?

Issue 5: Discrimination and vulnerable groups

- The organization ensures no discrimination against employees, members, clients, stakeholders, members or anyone who has contact with or impact direct / indirect within its sphere of influence?
- Promotes education and awareness of rights for vulnerable groups?
- Undertakes a positive and constructive diversity among the people they interact?
- Promotes equal treatment of women and men in social, economic and political spheres?
- Establishes policies that prevent their employees engage in practices of any kind of exploitation of minors?
- Recognizes and respects the rights of indigenous peoples in decisions and activities?
- Helps to ensure dignity, autonomy and participation in society for people with disabilities?
- Respects and contributes to the respect for human rights of migrant workers and other kind of vulnerable social groups?

Issue 6: Civil and political rights

- The organization respects all civil and political rights of its employees?
- Takes disciplinary actions consistent and proportional to the offense committed, without causing physical harm or degradation to the person?
- Treats and respects the point of view and internal and external grievance to the organization?



Issue 7: Economic, social and cultural

- Evaluates the impact that their activities can generate to the rights of employees or any related population?
- Establishes policies that prevent the access restriction for essential resources by related activity groups?
- Supports education, the respect for human rights and creation of goods or services available to the community?

Issue 8: Principles and Rights at Work

- Rejects the use of forced labor and threats to accomplish a specific task?
- Supports the work and professional growth by providing opportunities for advancement and equality to its employees and vulnerable groups?
- Respects the right to freedom of association and collective bargaining, recognizing the authority of their representatives to negotiate any kind of controversy?
- Strives to eliminate all forms of child labor according the applicable law and the conventions of the International Labour Organization (ILO)?

4. Good integration practices

4.1. Planning the integration of the subject into the organization

The respect and application of human rights within the organization should allow better socio-economic development, improving quality of life and working environment for employees, and increase the profit margin for the company. Therefore it is important to carry out a due diligence process which includes identifying the issues that could jeopardize human rights, within the sphere of influence of the organization, taking into account a claims process to allow adequate feedback and continuous improvement.

4.2. How to carry out the integration?

Once due diligence has identified the risks and impacts to human rights within the organization, it is very important to take steps in implementing tangible changes generated in the processes, policies, documentation and records. This is to improve the organizational framework to be implemented through the active involvement of employees. This involves a process of awareness and training in human rights, and the importance of national and international regulations to ensure proper compliance.

4.3. Verification

To ensure the preservation, respect and implementation of human rights within the organization requires a monitoring and verification process, which through the review of documents and records, handling complaints, legal assessments, interviews with staff and audits periodic plan is achieved and make adjustments to comprehensively improve the management system continuously.

5. What to do if that risk is present?

At the moment there are risks, the company should implement corrective mechanisms, prevention and compensation by approaching to the appropriate authorities, to act right. The company should have mechanisms for resolving complaints and conflicts that does not question or prejudice the implementation of justice in reference to human rights and to support and compensate its employees. It is important to always apply the legal standard or policy that favors the human rights of workers.