

Contributions of

**IOE**

members in Latin America  
towards implementation of  
the UN Guiding Principles on  
Business & Human Rights



International Organisation of Employers  
Organisation Internationale des Employeurs  
Organización Internacional de Empleadores  
*The Global Voice of Business*



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# Introduction

The debate within the United Nations system on the responsibility of business vis-à-vis human rights is not new. In the late 1990s, as attention grew on the impacts of business on human rights especially in the extractive and apparel sectors, a UN Sub-Commission on Human Rights (now the UN Human Rights Council) explored the relationship of business with international human rights obligations and subsequently released a report in 2004 proposing draft “Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights”. These norms, which sought to impose binding obligations on companies directly under international human rights law, were not accepted by the Commission.

A year later in 2005, the UN Secretary-General appointed Professor John Ruggie as his Special Representative on transnational companies and other business enterprises and human rights to break the stalemate and clarify the roles and responsibilities of states, companies and other social actors in the business and human rights sphere. Professor Ruggie’s work culminated in June 2008 with the “Protect, Respect and Remedy” Framework, which the Human Rights Council unanimously endorsed.

The “Protect, Respect and Remedy” Framework rests on three pillars:

- **The state duty to protect** against human rights abuses by third parties, including business, through appropriate policies, regulation, and adjudication;
- **The corporate responsibility to respect** human rights, which means to act with due diligence to avoid infringing on the rights of others and to address adverse impacts that occur; and
- Greater **access by victims to effective remedy**, both judicial and non-judicial.

The UN then mandated Professor Ruggie to operationalize and elaborate on this Framework and over the next three years he authored the UN Guiding Principles on Business and Human Rights (the Guiding Principles) which were endorsed by the UN Human Rights Council on 16 June 2011.

The Guiding Principles do not impose new legal obligations on business, or change the nature of existing human rights instruments. Instead, they articulate what these established instruments mean, both for States and companies, and they address the gap between law and practice.

Also in June 2011, the UN Human Rights Council established the UN Working Group on Business and Human Rights (Working Group), consisting of five independent experts, selected to reflect a geographic balance. The Working Group has the task of facilitating the global dissemination and implementation of the Guiding Principles. Beyond convening the Annual Forum on Business and Human Rights in Geneva, in which the IOE actively participates, the Working Group also organizes Regional Forums and consultations to provide regional platforms for multi-stakeholder dialogue on the implementation and dissemination of the Guiding Principles.

In June 2014, the UN Human Rights Council adopted by consensus a Resolution (26/22) submitted by Argentina, Norway, Russia and Ghana, and co-sponsored by Colombia, Guatemala, Chile and Mexico, to encourage Member States to develop National Action Plans (NAPs) to implement the Guiding Principles.

In parallel, progress has been made at international and regional levels in linking CSR with sustainable development, namely:

- At the United Nations Conference on Sustainable Development in Rio de Janeiro (June 2012);
- Through the IOE Bahrain Declaration (October 2015), which fully supports the Guiding Principles and the Sustainable Development Goals;
- The declaration of the G7 Summit (June 2015), where G7 Heads of State and Government strongly support the Guiding Principles as well as efforts to develop NAPs and urge private sector implementation of human rights due diligence;

- A statement of the G20 Summit (November 2015), which outlines a plan of action to align G20 work to the 2030 Agenda for Sustainable Development; and
- The communication from the EU Commission on Trade (October 2015), which emphasizes the responsibility of European businesses in trade behaviour and its link to the responsible supply chain, and adds to existing EU guidelines on business and human rights, sustainable procurement, transparency of non-financial risks and promotes CSR.

At the Latin American level, the Working Group organized the Regional Forum on Business and Human Rights for Latin America and the Caribbean in Medellin, Colombia in August 2013. The IOE and Colombia's national employers' organization ANDI made a submission to the Forum highlighting the key concerns of business with regard to the implementation of the Guiding Principles in the Latin America and Caribbean region.

Furthermore, the resolution adopted by the General Assembly of the Organization of American States (OAS) in June 2014 entitled "*Promotion and Protection of Human Rights in Business*"<sup>2</sup> strongly supported the Guiding Principles, facilitating the exchange of information and sharing of best practices among OAS member states. Additionally, it requested the different OAS bodies to continue supporting States in the promotion and application of state and business responsibilities in the area of human rights and business.

Within the framework of the Strategic Partnership between the European Union (EU) and the Community of Latin American and Caribbean States (CELAC), CELAC States have committed to elaborate policies and NAPs to promote best trading practices in line with internationally recognized standards and principles on responsible business behaviour.

Despite efforts to advance implementation of these commitments, concrete achievements are still lacking. However, the fact that Argentina, Brazil, Chile, Colombia, Costa Rica, Guatemala, Mexico, Nicaragua, Peru and Uruguay have formally announced their intentions to begin the process of putting together NAPs is encouraging.

The IOE works with its members to improve understanding and the promotion of the Guiding Principles through an Employers' Guide entitled: The UN Guiding Principles on Business and Human Rights.

A one-day training programme has been designed for the use of IOE members in their respective countries.

Many representatives of IOE members in Latin America have already been trained with a view to obtaining the knowledge necessary to understand the elements of the current vision of human rights and business, to identify and generate internal strategies in their organizations with regard to topics, circumstances and processes that are sensitive to human rights and to be able to participate actively and constructively in the elaboration of NAPs.

Measuring implementation of the Guiding Principles is a top priority of the Working Group. Collecting information on the initiatives of employers' organizations - as presented in this compilation - is an important contribution to this effort.

#### **We thank the following IOE members in Latin America for their contribution:**

- Argentina - Unión Industrial Argentina (UIA)
- Bolivia - Confederación de Empresarios Privados de Bolivia (CEPB)
- Brazil - Confederación Nacional de Industria (CNI)
- Chile - Confederación de la Producción y el Comercio (CPC)
- Colombia - Asociación Nacional de Empresarios de Colombia (ANDI)
- Guatemala - Comité Coordinador de Asociaciones Agrícolas, Comerciales, Industriales y Financieras (CACIF)
- Honduras - Consejo Hondureño de la Empresa Privada (COHEP)
- Mexico - Confederación Patronal de la República Mexicana (COPARMEX)
- Panama - Consejo Nacional de la Empresa Privada (CONEP)
- Peru - Confederación Nacional de Instituciones Empresariales Privadas (CONFIEP)

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<sup>2</sup> (AG/RES. 2840 (XLIV-O/14))

# Argentina

## Argentina Industrial Union (UIA)

The UIA is the business sector representative to the OECD National Contact Point and a member of the Argentina Global Compact Network.

Since the adoption of the Guiding Principles, the UIA has participated in various specialized training forums with a view to acquiring the knowledge needed to understand the fundamentals of current thinking on business and human rights, and to identifying and creating strategies within the organization with regard to human-rights related subjects, situations and processes.

The UIA has attended the following, with a special focus on business and human rights:

- Second Workshop on Business and Human Rights, held in June 2014 in Buenos Aires and organized by the Business Council for Sustainable Development Argentina (CEADS).
- Sub-regional Seminar for Employers on Business and Human Rights, held in Buenos Aires in July 2015 and organized by the ILO Bureau for Employers' Activities (ACT/EMP).
- Training Workshop – Rights of Indigenous Peoples, which was organized by the United Nations Global Compact Business and Human Rights (BHR) Group in July 2015.

The UIA has also participated in, or is currently playing a variety of active roles in, the following activities and partnerships relating to business and the promotion of human rights:

### CHILD LABOUR

- Opening of the First Regional MERCOSUR Meeting of Governments, Business and Trade Unions against Child Labour, alongside Labour Ministry, trade union and ILO representatives.
- Through its Social Policy Department, the UIA is a member of the National Commission to Eradicate Child Labour (CONAETI).
- UIA member companies are members of the Business Network for the Eradication of Child Labour.

### DECENT WORK

- Completion of the Third Edition of the ILO Decent Work Country Programme and discussion on the possibility of including guiding principles based on the post-2015 Sustainable Development Goals in the new version.

### GENDER EQUALITY

- Gender Violence: UIA and OSIM are promoting the "Raise your voice against gender violence" campaign.
- As part of ILO celebrations for International Women's Day: María Victoria Giulietti, Head of the UIA Social Policy Department, took part in a panel event alongside the ILO Director-General on Women and the Future of Work - March 2015..
- Presentation of the report entitled "Women in Business and Management: Gaining Momentum" - May 2015.

### ENVIRONMENT

- Energy Efficiency Project: promotion of the public competition for the presentation of projects to enhance SME energy efficiency.
- Involvement in the process for the development of contributions to reducing greenhouse gas emissions, as presented by the Republic of Argentina at the COP21 to the UN Framework Convention on Climate Change.

# Bolivia

## Confederation of Private Businesses of Bolivia (CEPB)

The Bolivian business sector represented by CEPB has rolled out a series of institutional initiatives to address business and human rights:

- Through the Institutes for Employment Training (INFOCAL), the private business sector promotes technical education for the benefit not only of workers, but of society as a whole.
- Promotion of various programmes for the integration in Bolivian companies of persons with disabilities; demonstrating the business sector's commitment to inclusion and the fight against discriminatory behaviour; and recognizing the human rights of persons with disabilities and everything that they can contribute to the country's economic development.
- Development of programmes for the implementation in private sector companies of an integrated workplace health and safety management system.
- Promotion of training sessions on the eradication of child labour, recognizing the human rights of this extremely important group and, crucially, defending the right of children to enjoy and experience their childhoods in environments that promote their human and academic growth. Guidance documents have been prepared, and workshops and meetings have been held, to raise awareness of child labour.
- CEPB has organized a technical body to serve as a point of reference for the private sector on CSR activities in Bolivia. The Corporate Social Responsibility Unit was launched in January 2015 within CEPB. The notion of an institutional structure aside, the most important aspect of this initiative from the business sector's perspective is the work done by CEPB urging its members and companies to develop programmes of this kind and creating greater visibility for the successful experiences that have been achieved and are being developed by companies in Bolivia.

These include, among others:

- "Soy Solidario" [We Stand Together] campaigns to assist struggling families.
- Efforts made for the generation and distribution of electricity in rural areas through the inauguration of a Pilot Network for Public Lighting in outlying communities.

- Diagnostic work on the status of orphanages and children's homes in Bolivia.
- Promotion of the "A roof for my country" programme for the needy.
- Application of the ILO SCORE Programme methodology: CEPB, together with the Bolivian Workers' Union (COB) and the Labour Ministry, will take forward the application of the ILO's SCORE methodology in the country's manufacturing sector. The SCORE programme is aimed at small- and medium-sized companies in various sectors and is intended to improve their productivity, competitiveness and working conditions by improving the working environment, meaning stronger relationships between administrators and operators. The end beneficiaries are the workers and management teams of the participating companies.
- Organization of forums for debate on issues of key importance to creating a stronger social fabric, including workshops on social dialogue and negotiation; decent work and the different experiences at Latin American level; training workshops on ILO Convention No. 169 on Indigenous and Tribal Peoples, not only recognizing their vital importance in the national context, but also serving to reaffirm all of their individual and collective rights.
- Promotion of HIV and Aids awareness-raising and prevention programmes through training in more than 50 business organizations, aiming not just to raise awareness of this issue, but to facilitate the non-discrimination of people living with these illnesses in respect of their rights, including access to sources of decent work.
- The mining, commerce, industry, hydrocarbon and construction business associations work constantly to promote upskilling initiatives in the areas of workplace health and safety, environmental impact, human rights and employment legislation, among other things. In addition to these business association initiatives, are those initiatives undertaken by companies themselves, which serve to protect workers' rights and to strengthen and protect the human rights of the collective.

# Brazil

## National Confederation of Industry (CNI)

With CNI's support, the European Union and Brazil's Human Rights Office promoted a seminar that took place in CNI premises in Brasilia to discuss businesses and human rights in Brazil, the establishment of NAPs in the EU, businesses and human rights in practice in the EU, and businesses and human rights in practice in Brazil.

CNI believes that education and vocational training are essential tools to promote ethics and the respect for human rights. In this context, industrial, commercial, agricultural, transport and cooperation organizations for Brazilian businesses are responsible for "System S", which rates and promotes social services for their workers. System S can be divided into education and social services, and is implemented by means of the National Industrial Apprenticeship Service (SENAI), the National Trade Apprenticeship Service (SENAC), the National Agricultural Apprenticeship Service (SENAR), Transport Apprenticeships (SENAT), the National Cooperative Service Apprenticeship Service (SESCOOP), the Industrial Social Service (SESI), the Trade Social Service (SESC) and the Transport Social Service (SEST).

SESI develops activities relating to quality of life, and health and safety in the workplace, with a specific focus on the organization of employers in the industrial sector. It also implements socio-educational and cultural initiatives as well as sporting activities for employees, their families and the community. SENAI works to boost the competitiveness of Brazilian industry by training highly qualified professionals through industrial apprenticeships and by supporting and fostering technological innovation in businesses. SENAI has 518 schools and 504 mobile units, 48 operating units, 13 Innovation Institutes, and 35 Technical Institutes. In 2014, there were 3.64 million enrolments for vocational training, and one million enrolments for long-distance educational courses.

In addition, there are a number of different programmes, one of which is the SENAI Programme for Inclusive Action. The aim of this programme is to promote equal conditions that respect gender diversity, racial and ethnic diversity, older people and the disabled in order to address the inclusion and training of these groups.

# Chile

## Confederation for Production and Trade (CPC)

CPC representatives have participated in a number of business and human rights activities:

- The sub-regional employers' seminar on business and human rights in Buenos Aires, Argentina, on 2-3 July 2015 organized by ILO ACT/EMP.
- With the support of ILO ACT/EMP, the CPC organized a workshop at the Chilean Chamber of Construction on the promotion of the UN Guiding Principles on Business and Human Rights in September 2015.
- CPC organized a meeting at its offices in September 2015, with the participation of the IOE, ILO ACT/EMP, experts on business and human rights and attendees from the Chilean Foreign Ministry, to disseminate the work being conducted by the Chilean government for the implementation of a NAP on business and human rights.
- With the support of ILO ACT/EMP, CPC organized a workshop on the dissemination of the UN Guiding Principles at the Manufacturers' Association in September 2015.
- With the support of ILO ACT/EMP, CPC organized a workshop on the dissemination of the UN Guiding Principles at the National Mining Company on 30 September 2015.
- With the support of ACTEMP/ILO, CPC organized an initiative to strengthen activities for the dissemination of the UN Guiding Principles at the Chilean Chamber of Construction and at the Manufacturers' Association in November 2015.
- In 2016, CPC organized a workshop for the dissemination of the UN Guiding Principles at the National Association of Banks and Financial Institutions, at the National Agricultural Society and the National Chamber of Commerce.
- In March 2016, CPC organized a workshop for the dissemination of the UN Guiding Principles at the Araucanía Multigremial, a business association located in the city of Temuco in the Araucanía region, which has the second-largest Mapuche population in Chile after the Metropolitan Region of Santiago.
- To implement these activities, and with the support of ILO ACT/EMP, CPC contracted the services of a national expert to guide the individual efforts of the business associations that make up CPC.
- Finally, CPC is drafting a short guide on the implementation process of the UN Guiding Principles in Chile.

# Colombia

## National Association of Businesses of Colombia (ANDI)

Recognizing the positive impact that respecting human rights has had on the country, ANDI has actively promoted the following actions among their affiliates. These actions undoubtedly provide huge benefits to society, in addition to being business sector initiatives firmly founded on convictions and strategic priorities.

In the 1990s, ANDI created the Declaration of Ethical Principles of the Colombian Business Sector. This Declaration incentivizes the use of corporate management practices that are aligned with the generation of social, environmental and economic values.

Colombia's business sector takes a leading regional role in the dissemination and promotion of the 10 principles of the UN Global Compact, which cover four broad themes: Human Rights, Employment Rights, the Environment, and Transparency - Anti-Corruption.

In 2007, a group of Colombian organizations including ANDI decided to establish in Bogota the Regional Centre for Latin America and the Caribbean in Support of the UN Global Compact.

In August 2010, ANDI adopted the "Resolution for the Respect of Human Rights". This commitment led to ongoing support for the adoption of instruments and programmes that demonstrate the respect for and defense of human rights and which are put forward by businesses in various situations.

Consequently in 2012, the ANDI Assembly adopted the OECD (Organization for Economic Cooperation and Development) Guidelines, as government-led recommendations aimed specifically at multinational corporations, which set out principles and guidelines, adopted on a voluntary basis, and which are compatible with applicable national legislation and consistent with good human rights practices; employment rights; the environment; transparency; fair competition and consumer rights; innovation, science and technology; payment of State taxes, and disclosure of information. As human rights are an increasingly important issue for businesses in their relationships with suppliers, consumers, shareholders and international monitoring bodies, and in light of the requests and interest of the same,

in 2015 ANDI's Vice-Chair for Legal Affairs created Human Rights Developments, a document sent periodically to its affiliates providing information on the most recent developments in this area.

Some other recent ANDI-led actions on human rights promotion include:

- **STRENGTHENING THE UN GLOBAL COMPACT NETWORK IN COLOMBIA**

ANDI has created various forums and opportunities for the promotion of the Global Compact principles, using knowledge management scenarios and supporting projects for the dissemination and adoption of good practices that are applicable in real business environments. In 2015, there were 69 new signatories. To date there are 496 signatories to the Compact in Colombia, of which 331 are businesses and 165 are non-business entities. Over the course of 2014, 2015 and 2016 ANDI played an active role in the various meetings of the steering committee, annual assembly, strategic planning committee, financial committee and the advisory board of the Global Compact Congress, with the primary objective of encouraging companies to join the Local Network in Colombia. The network's operating teams were invited with a view to creating meeting spaces for the five thematic panels around the ten Global Compact principles. In addition, in its communications and forums, ANDI encourages its affiliates to promote the Compact to its supplier chains.

- **PRIVATE SECTOR ACTION TO ERADICATE CHILD LABOUR**

ANDI has supported the various approaches for the promotion of good practices and awareness of the principle on the prevention and eradication of child labour. In terms of private initiatives, ANDI took part in the project led by Fundación Telefónica, which aimed to create a methodological guide for the assessment and management of the impact of child labour on business activities.

In October 2012, the Local Network for the Global Compact in Colombia, supported by ANDI, signed the United Nations Global Compact. This guide was prepared by Movistar and Fundación Telefónica. This instrument was implemented in affiliated companies such as Ecopetrol (mining/energy sector), Telefónica (services sector) and Ingenio Mayaguez (agro-industrial sector). ANDI led the presentation of this instrument to the ILO bodies for Latin America and the Caribbean.

Other important initiatives in which ANDI is involved:

- **COLOMBIAN NETWORK AGAINST CHILD LABOUR**

The Colombian government began development of the 2008-2015 National Strategy for the Prevention and Eradication of the Worst Forms of Child Labour and Protection of Young Workers. Furthermore, in June 2011 the Global Compact created the Working Bureau for Principle 5 of the Global Compact, to ensure support from businesses for the eradication of child labour. Given this unity of purpose, the Labour Ministry and the Global Compact Network decided to join forces and turn the Working Bureau for Principle 5 into the Colombian Network against Child Labour as a collective effort between businesses, government and strategic allies. In this respect, the Network is a local platform that aims to identify and manage the risks and impacts of child labour and promote respect for the rights of children and adolescents, both within the company and through its supply chain. ANDI, as a founding strategic ally, has played a key and active role through experience sharing and dissemination of the Network's outcomes and initiatives in order to replicate good practices in the sector, facilitating meetings with affiliates to communicate what the Network is doing, incentivizing joining the Network among affiliates, and supporting Network events.

- **REGIONAL INITIATIVE - LATIN AMERICA AND THE CARIBBEAN FREE FROM CHILD LABOUR**

The Regional Initiative is an alliance between the countries of the region, set up in order to accelerate progress made by Latin America and the Caribbean towards accomplishing the goals of eradicating the worst forms of child labour by 2016 and the total eradication of child labour by 2020, thereby responding to the urgent call of the global road map and the goals of the Decent Work Hemispheric Agenda, which were ratified at the III Global Conference on Child Labour (2013) under the Brasilia Declaration. By the express mandate of the countries that make up the Initiative, the Regional Office of

the ILO for Latin America and the Caribbean is taking on the duties of Technical Secretary. An invitation to join is open to the other countries in the region. Within the initiative, ANDI's role is to serve as a representative for Colombian employers, providing strategic assistance, linking the regional and national levels of the initiative together, and maintaining effective coordination and feedback between stakeholders. ANDI attended the Second South-South Cooperation Group held in Brasilia in July 2015 for the exchange of experiences and decision-making on the strategic direction of the initiative. At this forum, the commitment made by private business to the prevention and eradication of child labour was expressed under the framework of responsible and sustainable business operations and in light of the commitments under the Global Compact principles.

- **HUMAN RIGHTS AND THE LINKS BETWEEN BUSINESS AND INDIGENOUS PEOPLES**

Among its affiliates, ANDI promotes the application of ILO Convention No. 169 and national standards on indigenous peoples as a tool for social dialogue, which should serve to reconcile the protection of indigenous communities with the economic and social conditions that support job creation. In Colombia, Law 21 of 1991, which includes ILO Convention No. 169 ratified by Colombia, is part of the body of the country's constitutional rules. Moreover, for the Constitutional Court, the right to consultation is a fundamental right, and is therefore protected under the right to remedy. Whether the right to consultation has been satisfied is decided in a decision-making space which respects the particular characteristics of the communities and is guided by the good faith principle. This is a process that aims to ensure that communities are fully informed of any projects planned for development on their territories. The Constitutional Court has ruled on numerous prior-consultation cases.

In September 2015, ANDI held a meeting attended by the ILO and various companies from the mining, hydrocarbon and energy sectors, which sought to assess the impact of the Directive and ILO Convention No. 169 on companies' investment projects. The ILO undertook an assessment of the Convention's application in Latin America, drawing on experiences, issues and success stories and published the results of this consultation to serve as a basis for the development of public policy and as input to be reflected in the practices of companies and business associations.

As a member of the Regional Centre, ANDI actively participated in various forums in 2014 and 2015, with a view to fostering ongoing discussions on the involvement of companies with regard to the rights of indigenous peoples. The Regional Centre is currently working on a project entitled: "Prior consultation, governance and the private sector", undertaken with the Spanish Agency for International Cooperation on Development (AECID), the objectives being:

- To facilitate a platform for dialogue and learning between States, companies and indigenous peoples.
- To create forums in which to support and strengthen multi-sectoral relations relating to the consultation, and enhance dialogue capacities between stakeholders.
- The expected results are: indicators on consultation and international standards; application of indicators to consultation cases; interactive space: best consultation practices; learning spaces in seven countries on consultation and the UN Guiding Principles with the three sectors; case studies on social innovation in relation to indigenous peoples; III Cartagena Multi-sectoral Meeting; I Antigua Multi-sectoral Meeting.

Furthermore, the Regional Centre held two regional online seminars on Convention No. 169, and ANDI and its members actively participated.

Among ANDI affiliates' experiences, a noteworthy case is that of Cerrejón, a mining company that operates in areas inhabited by five highly representative indigenous communities in Colombia. The Cerrejón Foundation for indigenous peasants works to raise the living standards of these communities and preserve their characteristics and cultural identity, applying the principles for development with prior consultation and providing a permanent complaints office.

## • EMPLOYMENT DEVELOPMENTS

ANDI's involvement in various national and international forums ensures a level of guidance for companies on the various issues that are under discussion in the social-employment field. Furthermore, it provides direct support to the Colombian government in structuring its responses to requests from international bodies such as the ILO or the UN Human Rights Council on the country's social-employment situation. ANDI's actions and its dissemination of positive developments in the socio-employment field has led to the signing of free trade agreements with the United States (with which the country also has an Action Plan), Europe and Canada, among others.

These agreements include a labour chapter which imposes specific labour standards on signatories, with explicit references to ILO declarations, which are subject to ongoing monitoring. ANDI is a permanent member of the ILO Special Commission on Dispute Handling (CETCOIT), a tripartite body composed of representatives of governments, workers' organizations and employers' associations, which has gathered a great deal of momentum since 2012. CETCOIT seeks to resolve freedom of association cases by means of a "meeting of minds" between the parties, with the intervention of CETCOIT members and chaired by a mediator or facilitator appointed by the Permanent Commission for Wage and Employment Policy. As CETCOIT studies cases that could be submitted to or which are before the ILO Committee on Freedom of Association, ANDI plays an active role in all meetings in which a company is involved.

The main function of CETCOIT is to find forms of settlement and rapprochement between the parties based on understanding and mutual respect between the tripartite stakeholders. CETCOIT has been so successful in resolving employment disputes that it has been highlighted by the ILO and replicated in other countries in the region.

# Guatemala

## Comité Coordinador de Asociaciones Agrícolas, Comerciales, Industriales y Financieras (CACIF)

CACIF's members have participated and carried out a number of initiatives to promote the UN Guiding Principles on Business and Human Rights, including:

- **DEVELOPMENT OF AN INSTITUTIONAL CORPORATE HUMAN RIGHTS POLICY**

Reiterating its commitment to observing and upholding human rights and promoting the respect of those rights by its affiliates, CACIF has decided to endorse the Institutional Corporate Human Rights Policy, promoting observance among its members of the rights set down in the Universal Declaration of Human Rights, in the ILO Declaration on Fundamental Principles and Rights at Work, and in accordance with the constitution of the Republic of Guatemala.

- **LAUNCH OF THE "BUSINESS DIAGNOSIS GUIDE: UNDERSTANDING AND IMPROVING YOUR EMPLOYMENT COMPLIANCE"**

This guide is a business tool for measuring and improving the performance of companies involved with CACIF chambers and associations. It is based on the international standards promoted by the ILO core labour conventions, which form part of the country's labour law. Furthermore, the organized business sector's Labour Commission plays a vital role in actioning the agenda for social dialogue and decent work, participating actively in various tripartite committees such as the National Workplace Health and Safety Committee, the Tripartite Committee for International Labour Affairs, the National Wage Committee and the National Committee for the Prevention and Eradication of Child Labour, among others.

- **DEVELOPMENT OF LABOUR POLICY AND A GOOD LABOUR PRACTICES MANUAL FOR THE AGRICULTURE SECTOR**

In 2012 the Chamber of Agriculture Labour Policy was launched, which aims to promote an increase in formal employment with social coverage nationwide. Under this policy, all sectors are committed to the culture of lawfulness and compliance with labour legislation, voluntarily endorsing nine labour compliance principles which are based on local legislation and the core ILO conventions ratified by Guatemala, alongside the good labour practices that make up the various agricultural market certifications worldwide.

Within the framework of Labour Policy Principle 4 - "You will receive equal treatment" - which sets out an agriculture sector commitment to non-discrimination; in 2013 the Declaration of Commitment to Promote and Apply the ILO Recommendation concerning HIV and Aids and the World of Work, 2010 (No. 200) was signed in collaboration with the ILO and through a social dialogue mechanism. The aim of this declaration is to support and implement the HIV policies of those CAMAGRO members where such policies already exist, as well as the promotion and transfer of good practices to other professional associations. One of the most fundamental tasks in promoting HIV and Aids policies for businesses is ensuring proper coordination and implementation, observing and demanding that obligations be fulfilled in accordance with each party's role. This also applies to the observance of legal rights and obligations.

- **ENVIRONMENTAL POLICY AND BASIC ENVIRONMENTAL GUIDELINES FOR THE AGRICULTURE SECTOR**

As part of the implementation of the Labour Policy Principle - “We protect (environmental) resources in your workplace” - Chamber of Agriculture members, in partnership with the Ministry for the Environmental and Natural Resources, signed the Environmental Policy, which aims to “contribute to the sustainable development and competitiveness of the agricultural sector, promoting good environmental management practices in value chains and compliance with environmental legislation”, made up of three key strategic focus areas which include:

a) legal compliance; b) environmental protection, conservation and preservation; and c) social dialogue for sustainable development. Furthermore, a set of Basic Environmental Guidelines for the Agriculture Sector was drafted, which forms part of the provision for environmental management business training and includes national legislation, international commitments and agreements signed by the State of Guatemala, and good practices of certification promoted by international market buyers.

- **BANANA SECTOR - DIGNIFIED AND DECENT WORK WITH EQUAL OPPORTUNITY: APIB LABOUR POLICY FOCUS AREAS**

To promote full compliance within the banana agro-industry with national and international labour regulations, the Association of Independent Banana Producers (APIB) has developed tools that facilitate the dissemination and fulfilment of the responsibilities and obligations of employers, staff and government. The purpose of these tools is to promote dignified and decent work for all. One such tool is the APIB Labour Manual, which serves as a reference and consultation source on labour matters. Awareness-raising workshops attended by representatives from all APIB companies were held while this manual was being drafted in order to facilitate discussion of its content. In addition to complying with national and international labour standards, APIB companies are subject to a labour and environmental audit system, with each company’s compliance in these areas being assessed on a regular basis. The results of these audits are shared between the companies to identify areas for improvement and to promote the sharing of information and best practices in human resource management.

- **DEVELOPMENT OF HIV/AIDS WORKPLACE PREVENTION POLICIES**

In the banana, textile, sugar and coffee sectors.

- **DEVELOPMENT OF OCCUPATIONAL HEALTH AND SAFETY PROGRAMMES**

In the construction, banana, textile, sugar and coffee sectors.

- **DEVELOPMENT OF THE BUSINESS FOR EDUCATION INITIATIVE**

This initiative seeks to promote reforms of educational policies and the implementation of good practices that contribute to improved learning. By 2021, Business for Education will have contributed to the establishment of an education system that responds to the needs of the modern world and which provides the skills needed to ensure that young people can find a place in the country’s workforce, promoting sufficient coverage, quality and equity through the promotion of partnerships between the education sector and other relevant stakeholders. The purpose of the initiative is to bring about the implementation of the Education Reform, so that the country has an efficient and decentralized system with a relevant curriculum and a proactive methodology that enhances educational quality, to allow young people to be more successful in life and competitive when they enter the labour market.

- **DIVERSITY**

Professional inclusion initiatives are being promoted for women in traditionally male-dominated training courses, and for men in courses that are targeted solely at women.

Vulnerable groups will have the opportunity to develop vocational skills, to allow individuals to develop within their home community where the sustainability, dignity and values of their culture is assured, particularly for those living in villages, who can receive training in their home community.

- People with disabilities and workers undergoing rehabilitation may attend an inclusive school which promotes accessibility in communication, programme structure, methodology and building design, with a focus on accessing, being a part of and succeeding in the world and in the workplace.

# Honduras

## Honduran National Business Council (COHEP)

COHEP is working on an Institutional Policy on Business and Human Rights based on the recognition of an approach which values the contribution of citizens and entrepreneurs who undertake their daily work within the framework of the respect of human rights.

In October 2015, the National Association of Businesses of Honduras launched a business guide on human rights that sets out a series of recommendations for implementation based on the business, compliance, legal and moral cases for respecting human rights. This guide is the result of the work of a Technical Committee composed of various industry sectors including energy producers, sugar producers, food industries among others.

In October 2015, COHEP met with UNDP representatives with the objective of signing a Convention on transparency and the fight against corruption. This was signed in November in the City of San Pedro Sula, under the title: "United Nations Convention Against Corruption and the Global Compact: the role of the private sector".

In addition:

- In September 2001, COHEP issued their Business Declaration for the Eradication of Child Labour. The objectives of the signed declaration are:
  - To put an end, and without any discrimination, to slavery, prostitution and to the dangerous forms of child labour in Honduras;

- The implementation by the Government of the Republic of Honduras of a policy for the immediate elimination of the worst forms of child labour, encouraging local and national public authorities to undertake effective application;
- Honduran employers are strongly encouraged with immediate effect not to make use of child labour in its worst forms;
- COHEP commits itself alongside government institutions to the effective application of ILO Convention 182;
- COHEP will, in collaboration with the ILO IPEC project, elaborate and distribute a guide for employers which will address the problem of child labour.
- In February 2015, COHEP issued its Declaration of Principles of Business Integrity, adopting principles in the areas of ethics, transparency and business conduct.
- In February 2015, COHEP issued its Declaration of Principles on Gender Equality and Equity.
- In 2016, COHEP prepared its Business Declaration on Business and Human Rights, reflecting its full commitment to the United Nations Guiding Principles.

# Mexico

## Employers' Federation of the Republic of Mexico (COPARMEX)

COPARMEX focus much attention on promoting democracy and development in terms of the creation of sustainable businesses and dignified and decent work, both nationally and internationally.

Since 2005, COPARMEX has supported the initiative to launch the Global Compact in Mexico, recognizing the importance of promoting social responsibility in companies.

The third strategic focus area for COPARMEX for 2016-2017 centres on fairness, equality and the eradication of poverty; the fourth strategic focus area is high-quality universal education for all.

Work is underway for the signing of an agreement between Mexico's National Human Rights Commission and the national COPARMEX, in order to collaborate and step up efforts to raise awareness of human rights, whether in large companies or SMEs, and to find a way to create a culture in which human rights are respected and recognized within a company and its value chains.

It is taking part in the analysis of the draft official Mexican standards on:

- Safety conditions for access and development of activities for disabled workers in buildings, premises, facilities and work centre areas.
- Ergonomic risk factors, identification, prevention and follow-up.
- Psychosocial risk factors.
- People with disabilities. Preventive actions and safety conditions in terms of civil protection for their assistance and attention in emergency or disaster scenarios.
- Development of Mexican standard N-R-025-SCFI-2015 on labour equality and non-discrimination.

Through Coparmex, the Mexican private sector is intensifying its efforts and is working with its members on an ongoing basis to update the various mechanisms for the protection of human rights and workers by raising awareness of the importance of respecting said rights and workers.

# Panama

## National Council for Private Enterprise (CONEP)

CoNEP's efforts and activities to help promote and implement the UN Guiding Principles have largely focused on environmental management, the prevention of child labour, gender equality, HIV and human trafficking.

### ENVIRONMENTAL MANAGEMENT

In 2001, as part of a public-private alliance, an agreement was signed on the Instruments for Environmental Management and Business Participation in Cleaner Production project, which was undertaken in collaboration with the Environment Ministry (MIAMBIENTE) and CoNEP, through technical cooperation from the Multilateral Investment Fund (FOMIN) of the Inter-American Development Bank (IDB), which aimed to promote cleaner production system instruments and the adoption of these instruments by small- and medium-sized companies.

On completion of the project, with the support of private sector donors, CoNEP established the Panama National Centre for Cleaner Production (CNPML), a not-for-profit organization currently dedicated to training, technical assistance and implementation of environmental projects. In 2015, almost 200 environmental auditors and advisors were trained.

### PREVENTING AND ERADICATING CHILD LABOUR

Since 2010, CoNEP have been developing the Programme for Corporate Social Responsibility (CSR) for the Prevention and Eradication of Child Labour in Panama (RSE-ETI Programme). This programme is focused on raising awareness with the general public and the business community:

- For the business sector: encouragement to include CSR strategies for the prevention and eradication of child labour within their operations.
- For civil society in general: social mobility-related activities to raise awareness of the importance of education in breaking the cycle of poverty that forces children to join the workforce.

Since 2012, more than 100 training sessions were realized for companies and students at primary, secondary and university education centres.

Social campaigns "Eres pieza clava" [You are vital] (2013) and Red Card to Child Labour (2014) were promoted, and through interviews and radio, press, magazine, billboard advertising and TV promotion, they contributed to educating on child labour and to making the efforts of the private sector more visible.

A first private sector standard has been developed that authorizes companies to use the "Social Stamp against Child Labour" endorsement. This stamp will be awarded to approximately ten pioneering companies whose operations and value chains have successfully passed a social audit.

CoNEP's work has provided governance support, enabling the number of juvenile workers in Panama to fall from 62,410 in 2012 to 26,170 in 2015<sup>2</sup>.

### BUSINESS RED RIBBON

With technical assistance from the U.S. Development Agency through its programme to enhance the Central American response to HIV (USAID/PASCA), CoNEP introduced the Business Red Ribbon. This aims to promote the prevention of HIV and Aids among the leading business associations and their member companies. A committee provides advice to companies that want to implement good practices to prevent HIV/Aids among their employees. CoNEP provides an incentive for the committee's companies to implement policies on HIV/Aids in the workplace and on non-discrimination against people with Aids.

With the support of UNAIDS, PROBIDSIDA and the Ministry of Health, free training is provided to companies that display an interest in developing and implementing these labour policies. Thanks to the Business Red Ribbon committee, CoNEP have mobilized the business sector on the inclusion of HIV/Aids prevention in their human resources departments and their corporate social responsibility policies. The number of people who are being tested for HIV in companies has risen. CoNEP have given 85 awareness-raising talks to 4,716 employees.

<sup>2</sup> Child Labour Survey conducted by the INEC - National Institute for Census, Statistics and Comptrollership

## **GENDER EQUALITY**

In March 2014, as part of Women's Month, CoNEP's Gender Equality Committee organized the "Empowering women in leadership roles" Forum, which was attended by local leaders and experts in gender equality, human resources and corporate leadership, and by the ILO and the United Nations Development Programme (UNDP).

## **HUMAN TRAFFICKING**

CoNEP is one of the 16 institutions and organizations that make up the National Commission against Human Trafficking in Panama (CNTP). With a view to educating people on human trafficking, CoNEP hosted the Forum on Human trafficking in Panama at the Benjamin Ayeche Auditorium of Santa Maria La Antigua University (USMA), which was aimed at business leaders, future professionals and members of the national commission against this crime.

Recommendations for the private sector on this issue were:

- compliance with the standards set down by the Labour Ministry on the recruitment of non-nationals i.e. ensuring that they maintain the necessary permits.
- observance of labour law standards in relation to wage requirements, work shifts and working conditions.
- in the construction sector, paying close attention to individuals who hire sub-contractors, as there have been cases in which the people who are hired are trafficked from neighbouring countries and forced to work double shifts without payment.

Through these actions and initiatives CoNEP reaffirms the commitment of its members to respect internationally recognized human rights.

# Peru

## Confederación Nacional de Instituciones Empresariales Privadas (CONFIEP)

In its role as Peru's leading private sector body, CONFIEP works to promote the issue of human rights through its participation and representation in various initiatives and forums. This work is undertaken in a strategic alliance with international and national representative bodies<sup>2</sup>. The details of these initiatives are shown below, as are the various actions undertaken by the institution to promote human rights as Technical Secretary of the UN Global Compact Network in Peru are also set out below.

### **NATIONAL HUMAN RIGHTS POLICY**

CONFIEP participates in the National Human Rights Council, a body created by the Peruvian Ministry for Justice to bring together opinions from various sectors of society on national human rights policy. It contributes to this forum with recommendations and opinions on the development of public policies, programmes, projects, action plans and strategies in this area.

### **PROMOTING ACCESS TO QUALITY EDUCATION: THE WORK OF THE ASSOCIATION OF BUSINESSES FOR EDUCATION**

The Association of Businesses for Education aims to contribute to improving national public education by coordinating the efforts of the private and public sectors and society as a whole.

The programmes implemented by the Association are as follows: Learning for Growth, Reading for Growth, Intel Education, Digital Inclusion, Volunteering, Microsoft Alliance for Education, Schools Network, and other initiatives e.g. a medical and educational community centre. The programmes have benefited two million schoolchildren and around ninety thousand schoolteachers, in more than eleven thousand schools.

### **PROMOTING GOVERNANCE: INVOLVEMENT IN THE FORUM FOR NATIONAL ACCORD**

This forum promotes State policies, which are grouped into four overarching objectives:

- Strengthening democracy and the rule of law
- Balanced and socially just development
- Promoting national competitiveness
- Affirmation of an effective, transparent and decentralized State

Every State policy has goals, indicators and legislative proposals for 2006, 2011, 2016 and 2021, which are developed in matrix format. CONFIEP plays an active role in the forum as a founding member, providing a venue for dialogue and consensus-building between the government, political parties and civil society organizations.

### **THE EMPLOYMENT ISSUE: INVOLVEMENT IN THE NATIONAL COUNCIL FOR WORK AND EMPLOYMENT PROMOTION**

The National Council for Work and Employment Promotion, a tripartite body, aims to align policies relating to labour and the promotion of employment and work-based training at regional and national level with the involvement of the representative organisations of workers and employers.

CONFIEP has been working in the Council for the highest possible increase in formal work, stronger tripartite dialogue and institutional coordination on labour issues.

This involvement and support has also been showcased within the various committees that make up the Council, such as the technical committees on labour, employment, vocational training, social security, anti-crisis, and special committees on productivity, minimum wage and the informal economy.

<sup>2</sup> International Organisation of Employers (IOE), UNDP, ILO, Ministry of Justice, UN Global Compact, among the key stakeholders.

## **ERADICATING CHILD LABOUR**

Of particular note is the role that CONFIEP has played within the Steering Committee for the Prevention and Eradication of Child Labour (CPETI), a body established by the Ministry for Labour and Employment Promotion to coordinate, assess and monitor efforts made to gradually prevent and eradicate child labour in Peru.

## **PROMOTING YOUTH EMPLOYMENT**

Since 2011, CONFIEP has played an active role on the Board for Youth Dialogue for Decent Work. This is attended by young people involved in the business and workers' associations represented before the National Council for Labour and Employment Promotion, the Ministry for Labour and Employment Promotion, and the National Youth Secretariat. The purpose of this Board is to formulate a sectoral plan for youth employment.

## **NATIONAL COUNCIL FOR WORKPLACE HEALTH AND SAFETY**

CONFIEP, alongside trade unions and the State, has played a role on this Council since it came into operation in 2012. The Council is the highest authority on workplace health and safety in Peru. It successfully secured the adoption of the workplace health and safety policy, and the National Plan for health and safety in the workplace.

## **DEALING WITH THE ISSUE OF CORRUPTION: INVOLVEMENT IN THE HIGH-LEVEL ANTI-CORRUPTION GROUP**

This committee, which is made up representatives from the State and society, seeks to pool efforts and put forward policies to prevent and tackle corruption in the country. CONFIEP is a founding member of the committee and has participated actively in the groups created to propose actions and develop draft legislation on the issue.

## **CREATING A SUSTAINABLE ENVIRONMENT**

CONFIEP has been working in forums that aim to ensure the respect of environmental rights, and the protection of the environment and biodiversity. Of note among these bodies are the Steering Council of the Fund for the Promotion of Peru's Protected Natural Areas, the National Committee on Climate Change, and the National System for Natural Areas under State Protection (SINANPE).

## **PRIVATE COMPANIES AND CLIMATE CHANGE: ATTENDANCE AT COP 20**

CONFIEP coordinated the involvement of the private sector at the 20th Session of the Conference of the Parties to the UN Framework Convention on Climate Change held in Peru.

## **SOCIAL POLICIES**

Regarding the promotion of the respect of social rights, CONFIEP played an active role, as a member of the Committee for Transparency and Civic Surveillance, in advancing the fulfilment of the objectives of social programmes implemented by the Peruvian government at national level.

## **TECHNICAL SECRETARY OF THE UNITED NATIONS GLOBAL COMPACT IN PERU**

In addition to its activities as a business association, CONFIEP is also Peru's representative for the UN Global Compact, a corporate social responsibility initiative that promotes voluntary compliance with ten principles relating to human rights, labour, the environment and tackling corruption.

**Corporate commitment to human rights** - as part of the Global Compact, companies express their commitment to the 10 principles, which address human rights and other issues. Under these principles, they align their systems and establish internal policies to address the issue, and develop related procedures and rules. These developments are set out periodically in the progress reports on the Global Compact principles.

**Human rights and corporate principles** - Company signatories to the Global Compact in Peru are developing various mechanisms and initiatives to incorporate human rights into corporate operational principles. Below are examples from certain priority sectors:

- Industrial sector: Companies have made progress in: i) implementation of environmental principles by means of measuring, assessment and monitoring instruments for the use of water resources at every stage of production, ii) initiatives for the construction of decent housing and protective walls in developing communities, iii) capacity-building for children and young people, iv) grass-roots organizations working on health and employment projects.
- Extractive sector: Companies have incorporated the social theme and community relations into their operations, through the implementation of:

- i) social and occupational wellbeing programmes for employees and their families in areas such as mental health, education, nutrition, occupational safety, leisure and recreation; ii) development of programmes for increased trade within local economies through the purchase of goods and contracting of services to producers and workers in the regions and provinces in which the company operates, iii) responsible use of water, iv) generation of clean and responsible energy.
- Construction sector: Companies are working on:
  - i) development programmes for local suppliers to support the process of formalization and growth for connected businesses in areas in which the company's operations have a direct influence, ii) promotion of good citizen conduct in social, environmental and economic issues, iii) Training of interest groups in the appropriate use and harnessing of transport, sanitation and water infrastructure.
- Sector for intermediate goods, machinery and equipment: Advances have been made in the following areas: i) the implementation of systems for occupational health and safety and employee protection: prevention, handling and training, ii) training programmes for employment, technical education, dual training, iii) professional training on values and civic responsibility.
- Services sector: is making progress in: i) compliance with and awareness-raising in relation to codes of values and ethics, ii) complementary management models that encompass human rights, iii) Management of occupational health and safety, iv) introduction of skills development centres for training on values such as integrity, efficiency and service, which also imply respect for individual rights under the framework for preventive services, among others.
- Communication and media sector: is seeing advances in the following areas: i) the creation of institutes for the assessment and communication of topics that are of interest to citizens, such as education, health, road infrastructure, democracy, public security, public services, identity, ii) building civic identity through information and solidarity campaigns, in addition to health and education programmes, iii) dissemination and recognition of social inclusion initiatives and endeavours, iv) self-regulation of content protecting the right to freedom of speech.
- Commercial sector: making advances in the following areas: i) respect for diversity and promotion of women's empowerment through equal opportunities, ii) execution of financial inclusion and economic empowerment programmes for vulnerable groups, iii) business financing access programmes, educational funds, for groups with limited means, others.

**Outreach and training on the human rights principles** - CONFIEP periodically schedules outreach and training activities relating to the Global Compact principles, aimed at network members, newcomers and other civil society institutions.

**Representation** - The leadership and technical team of the Global Compact Network represent the country in national and international forums on the Global Compact principles, presenting national and regional good corporate practices.

**Knowledge dissemination** - The Global Compact in Peru plays an active role in the exchange and dissemination of knowledge on the universal principles and topics relating to sustainable development. Of note is CONFIEP's participation in webinars, promotion of forums and publications, and the development and dissemination of action guides on the role of private enterprise and human rights, among other topics.

The IOE is the largest network of the private sector in the world, with more than 150 business and employer organisation members. In social and labour policy debate taking place in the International Labour Organization, across the UN and multilateral system, and in the G20 and other emerging processes, the IOE is recognised as the Global Voice of Business.



International Organisation of Employers  
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