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Part 3

Putting Respect for Human Rights into Practice

Putting Respect for Human Rights into Practice

The following sections set out the six core elements of the corporate responsibility to respect human rights and apply them to the activities and business relationships of ICT companies. The core elements are:

- **A human rights policy commitment:** the company's overarching, public commitment to respect human rights, and the processes for embedding that commitment into the company's culture. (See Section I)
- **Human rights due diligence:** the set of on-going processes through which the company "knows and shows" that it is respecting human rights in practice.

This involves:

  - Assessing actual and potential human rights impacts; (See Section II)
  - Integrating the findings and acting to prevent or mitigate the impacts; (See Section III)
  - Tracking how effectively impacts are addressed; (See Section IV)
  - Communicating how impacts are addressed. (See Section V)

- Remediation: the processes through which the company actively engages in the remediation of impacts it has caused or contributed to. (See Section VI)

Figure 1 to the right illustrates the relationship between the six elements of the corporate responsibility to respect human rights.

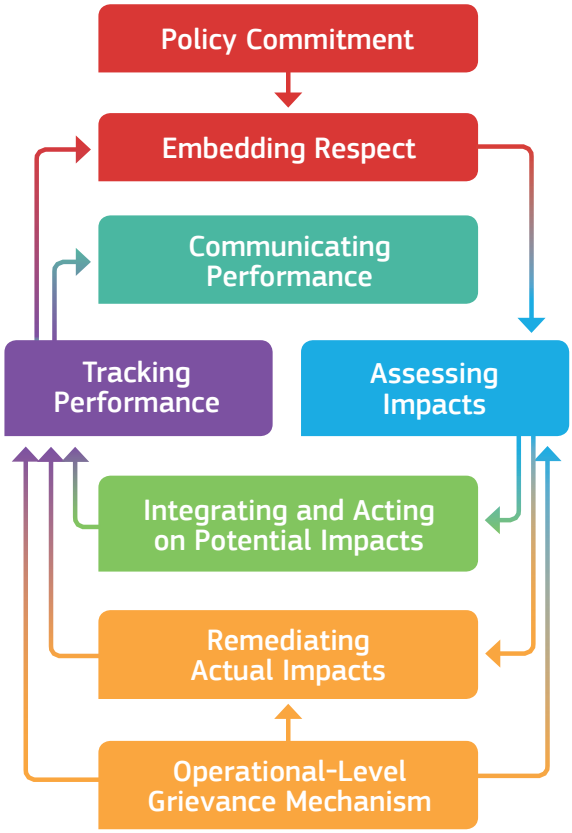

Figure 1: Key Elements of the Corporate Responsibility to Respect

Understanding Human Rights Due Diligence

Before exploring each of the six elements of the responsibility to respect in detail in the rest of this Guide, there are some important points to note about the concept of human rights due diligence.

- **Why is human rights due diligence important?** Human rights due diligence helps a company understand how its human rights risks can change over time and how to respond. It provides processes for looking at both external and internal factors that may raise human rights risks, and at external and internal resources that can help address them.
- **When should human rights due diligence happen?** Human rights due diligence should start at the earliest stages of product, service or technology design or market entry, and at the pre-contract stages of business relationships. It should continue throughout operations or product "life cycle", and throughout the course of the business relationship. It is about on-going processes, not one-off events such as an impact assessment at the launch of a new technology, or an annual report.
- How does human rights due diligence relate to a company's existing due diligence systems? For many companies, there will be existing due diligence systems they can draw or build on to develop their human rights due diligence processes. Examples include health and safety systems, privacy compliance, supply chain management or other regular risk review processes. It is up to ICT companies to decide whether to have a stand-alone due diligence process for human rights, or to integrate human rights into their existing processes. Either way, it is usually most helpful to adopt approaches that are familiar to staff – and will therefore be easy for them to work with – while ensuring they take account of the unique features of human rights.

How does the Responsibility to Respect Apply to Smaller Companies?

Smaller companies will typically have simpler management systems and need less complex human rights due diligence processes. Moreover, issues such as internal communication will usually be less challenging. However, even small ICT companies can have a large and diverse customer or end-user base with the potential for a variety of impacts to occur. Smaller companies that have a widespread customer or end-user base, operate in challenging contexts (such as where the state fails to meet its duty to protect), or that design or sell products, services or technologies that can have significant negative human rights impacts, will still need systems that can manage the greater level of risks present. In any situation, they will need to include the same six elements of the responsibility to respect in their management systems.

The European Commission has published guidance for small and medium-sized enterprises on applying the UN Guiding Principles available in multiple languages and with accompanying case studies.