



Human Rights Impact Assessments

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FRANKFURT, JUNE 2017

- *All internationally recognised human rights* should serve as a reference point
 - Both *potential* (risk of adverse impacts) and *actual adverse human rights* impacts should be assessed
 - The assessment should encompass adverse human rights impacts resulting from a company's own activities as well as those directly linked to its operations, products and services by their business relationship
 - *Direct consultations* should be held with internal and external affected groups
 - Human rights risks and impacts should be reviewed at *regular intervals*
 - The appropriate scope of a company's own approach and its priorities are primarily determined by the severity of its (potential) human rights impacts
 - Process for assessing human rights impacts can be *integrated* into other assessments and management processes provided consideration is given to the risks to rights holders, not only the risks to the company
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FRAMEWORK OF ALL INTERNATIONAL HUMAN RIGHTS, INCLUDING:

- ▶ Labour rights
- ▶ Land rights, right to water, right to clean environment
- ▶ Rights to livelihood, development and political participation
- ▶ Privacy and freedom of expression
- ▶ The rights of particular groups, e.g. women, migrants, children

FULL SCOPE OF IMPACTS

- ▶ *Actual and potential*
- ▶ company activities and its relationships (cause, contribute, linked-to)

ASSESS CAPACITY OF THE BUSINESS, AND ITS SUPPLIERS, TO ADDRESS ADVERSE HUMAN RIGHTS IMPACTS

HUMAN-RIGHTS BASED APPROACH

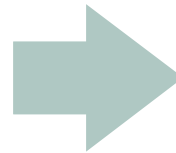
- ▶ *Seeking to understand impacts on rights-holders*
- ▶ *Meaningful engagement* with potentially affected groups
- ▶ Process-oriented: Focus on participation and inclusion, non-discrimination, transparency and accountability
- ▶ Prioritization on the basis of severity (scale, scope, remediability)

PART OF *ONGOING* DUE DILIGENCE





**Company perspective and
Company stakeholder**



**Rights holder /
Affected individuals or groups**

Process

- Participation
- Accountability
- Non-discrimination
- Empowerment
- Transparency

Content

- International human rights standards serve as a benchmark
 - Consider the full scope of impacts
 - Take into account the interrelatedness of various human rights and impacts
 - Assess impact severity based on the scope, scale and potential for remediation, taking into account the views of rights holders
 - Address all identified impacts; prioritising actions primarily based on the severity of the human rights consequences and addressing identified impacts following the mitigation hierarchy of 'avoid-reduce-restore-remediate'
 - Ensure access to remedy
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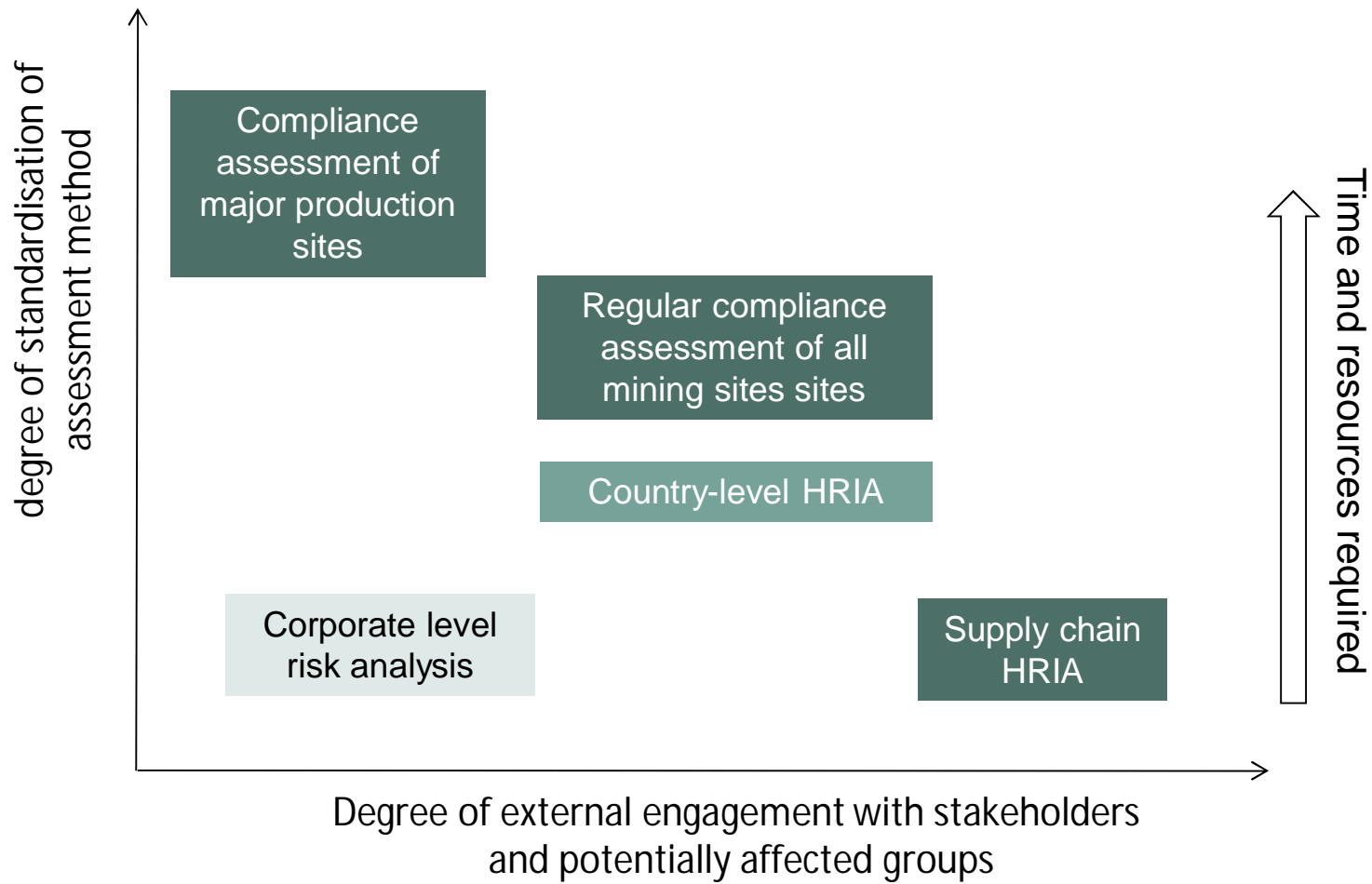
Corporate level Risk assessment

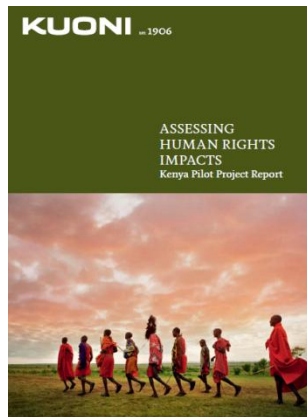
Country level

Product; Project or
Supply Chain level

Community / Site
Level

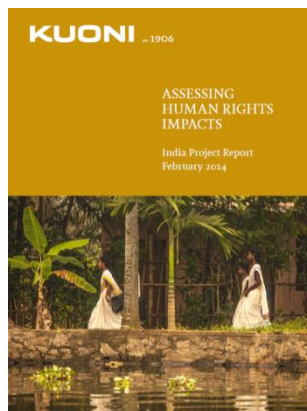
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OBJECTIVES

- ▶ Understand human rights risks and impacts (positive and negative) of operations and business relationships
- ▶ Define appropriate mitigating actions to reduce negative and strengthen positive impacts on human rights
- ▶ Foster partnership with key stakeholders, including employees, suppliers, NGOs and other businesses and organisations

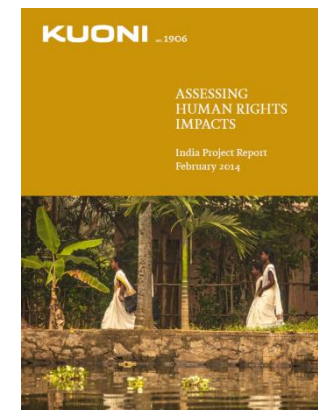
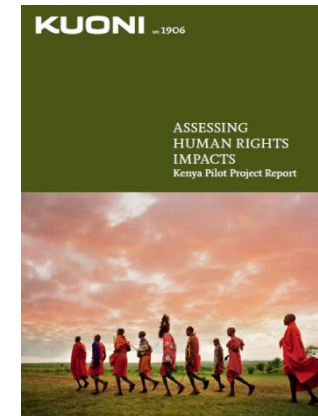


METHODOLOGY

- ▶ HRIAs conducted based on the 6 phases of the Kuoni HRIA toolkit developed for the Kenyan pilot (2012) and adapted for the HRIA in India (2013)
- ▶ The methodology includes background research, interviews with internal and external stakeholders, workshops with management and employees and the development of an action plan
- ▶ As part of its human rights due diligence process, Kuoni further implements and tailors the HRIA toolkit to suit the needs of other business segments

KEY LESSONS LEARNED FROM KENYA AND INDIA

- ▶ External stakeholder involvement increases credibility
- ▶ Huge asset to have an assessment team combining business engagement and community engagement skills
- ▶ Clear limits of desk-based research: direct engagement with local stakeholders revealed new issues
- ▶ Need for local partners/facilitators for community engagement
- ▶ Abstract human rights language needs to be operationalized
- ▶ Difficult to discern specific company impacts from broader industry impacts. Collaboration is important and needed.
- ▶ Ensure there is a home for the HRIA once it's complete with issue owners to implement recommendations
- ▶ Need enough buy in to start the process, but lots of buy-in will come during the HRIA
- ▶ Part of human rights "training" is going through the HRIA
- ▶ Don't reinvent the wheel when rolling out new processes



- ▶ Respecting human rights means 'treating people with dignity'
- ▶ *Think about impacts, not only risks*
- ▶ *Human rights impacts cannot be "off-set"*
- ▶ *Engage with affected groups* and take particular care of the most vulnerable
- ▶ Responsibility to respect *applies to all enterprises* regardless of size, sector, operational context, ownership and structure to fulfil their own human rights obligations
- ▶ Human rights due diligence is an on-going process that encompasses a company's own activities and its business relationships
- ▶ It is not a passive responsibility, it demands meaningful engagement with affected parties within and beyond the company



