

September 8, 2015
Nippon CSR Consortium

Draft Version for Public Consultation
September 8, 2015 -November 6, 2015

Nippon CSR Consortium, 2015 Human Rights Due Diligence Program
(Tokyo, Japan)
Invitation to Comment on “Human Rights Issues by Sector (draft)”

Human rights are one of the core CSR topics that have sparked discussions and activities in countries such as Japan over recent years. Since September 2012, the Nippon CSR Consortium has been working to provide a forum in which to identify and discuss negative human rights impacts that may arise as a result of corporate activities. This work has been conducted in collaboration with companies from various industrial sectors, as well as NPOs, NGOs and human rights experts in academia.

The workshop in 2015 consisted of two sections. The first section, which was held between Jun 10th to July 3rd, focused on identifying and discussing negative human rights impacts by sector. In the second section, which was held between July 14th to July 28th, the Workshop on Draft for Food Vision was conducted. The results of discussions of the first section are summarized in the draft “Human Rights Issues (draft)” document and are hereby disclosed for public consultation.

1. Subject

Human Rights Issues by Sector (draft)

2. Access to the document

The document is available via the CRT Japan website

<http://crt-japan.jp/en/>

3. Application

(1) Consultation Period

Tuesday, September 8, 2015 to Friday, November 6, 2015 (Japan Time)

(2) Submission Address

Please send your comments to CRT Japan’s Nippon CSR Consortium secretariat, by e-mail (yourcomments@crt-japan.jp) as an attached document in Word format. Please kindly be advised that we are unable to accept comments through other methods (such as by telephone, fax, or post), nor are we able to accept anonymous submissions.

(3) Application Procedure

Address to: Secretariat of the Nippon CSR Consortium (in CRT Japan)

Subject: Comment on “Human Rights Issues by Sector (draft)”

Organization/Affiliation and Name: (Department, Name)

Email and Telephone :

(4) Comments:

We invite public comments on the following questions. In the description of your comments, please specify the industry sector, page number, and concrete issue that your comment addresses. Depending on your needs, please enter your comments on the Public Comments sheet (Appendix 2).

1. Please share any comments on the “Human Rights Issues by Sector (draft)”
2. Please freely respond with any comments on “Human Rights Issues by Sector (draft)” document
3. The final report is scheduled for publication in December 2015. What kind of format and/or procedure do you consider would be most appropriate for finalizing the report?

(5) Submission and Inquiry

Secretariat of Nippon CSR Consortium (in CRT Japan Office)

E-mail: yourcomments@crt-japan.jp

4. Management and Handling of Comments

The comments on the draft submitted to the Nippon CSR Consortium will be used for the future reference of participants in the discussions. Unfortunately we are unable to respond to individual comments. All the comments, personal names and/or corporate and organizational names submitted will be disclosed on the CRT Japan website, however addresses, telephone and fax numbers, and addresses of the commenter's will not be published. If the comments include private information, by which a particular individual can be identified, or any information deemed to damage a property right of an individual person or a corporation, pertinent sections of the text will be deleted at the time of publication.



Hiroshi Ishida
Executive Director, Caux Round Table Japan

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Appendix 2: Public Comments Sheet

Appendix 3: List of Participants in Human Rights Due Diligence Workshop (First Section) 2015

1 Preface

1-1. Purpose of the Human Right Due Diligence Workshop

The Nippon CSR Consortium was established in September 2012 to raise awareness and promote activities in the fields of business and human rights by offering a forum in which companies can discuss human rights issues with NGOs and other companies. The consortium consists of corporate participants, NGOs/NPOs, human-rights experts and representatives from academia. In 2012 the 68 participants consisted of 39 companies and 11 organizations, in 2013 the 35 participants were from 15 companies and 12 organizations, and in 2014 the 68 participants were from 34 companies, 17 organizations and others, in 2015 the 98 participants in the first section of the workshop were from 48 companies and 17 organization.

There are some underlying factors that contributed to the establishment of the consortium. Companies sometimes struggle to address diverse human rights issues with limited budgets and resources. Therefore, even once a year, it is useful for them to get together to try to be leaders in their field by proactively seeking to understand and address human rights issues that their industry may be involved in.

The consortium also emphasizes sustainability of activities. As stated above, the companies are committed to continuous efforts for incremental improvement. In order to respond dynamically to a diverse range of issues, participant companies seek to stay abreast of changes and issues in the society that potentially link their activities to human rights impacts.

The Nippon CSR Consortium positions the Human Rights Due Diligence Workshop as an activity that aims to assist companies *at industry levels* in (1) identifying and assessing any actual or potentially adverse human rights impacts as defined in the UN Guiding Principles¹, which are connected to their activities *at company levels*, and (2) integrating and acting upon the findings, (3) tracking responses, and (4) communicating how impacts are addressed to the affected stakeholders. We hope participants' companies can use the knowledge acquired at this workshop to support their human rights due diligence activities at each company.

The 'Human Rights Issue by Sector (draft)' represents an outcome of the discussions that began in June and ended in July 2015, and is hereby opened for public consultation. We would appreciate candid comments on the draft from stakeholders. The final report will be issued in December 2015.

Refer to: Human Rights Council, 2011, *Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises*, Available at: <http://www.ohchr.org/documents/issues/business/A.HRC.17.31.pdf#search='report+of+the+special+representative+of+the+secretarygeneral+on+the+issue+of+human+rights+and+transnational> (Accessed Nov 10th, 2014).

1-2. Workshop for Identifying Human Rights Issues

The Nippon CSR Consortium, guided by the UN Guiding Principles, has been working on identifying important potential human rights issues by industry sector. The process used to identify the issues is explained in the following section. All the comments from participants reflect personal opinions and do not represent any of the affiliated organizations and companies.

In the 2012 Human Rights Due Diligence Workshop, important human rights issues by sector were identified through dialogue with the participants based on identifying the human rights issues and expectations relevant to business² in UNEP FI Human Rights Guidance Tool³ ('Human Rights Guidance Tool'). The final report "Human Rights Issues by Sector (2013)" reflects public comments, was issued on April 3rd, 2013⁴.

In 2013, we further explored "Human Rights Issues by Sector (2013)" from the perspective of the value chain. Identifying CSR issues throughout related value chains is a practical step for CSR departments to share and address appropriate solutions with relevant departments after the workshop. "Human Rights Issues by Sector (v.2)" was developed and published in March 2014, reflecting the outcome of workshop in 2013 and comments from the 7 organizations and as many individuals as possible.

In 2014, based on the public comments received in 2013, indicating that "Human rights issues should be understood in the particular context in which they arise", we focused on understanding the context and background of the issues, and based on that, we tried to understand the interconnectivities of global risks, and related human rights (societal and environmental issues) to business. This process is a practical step to "understand the reasons of why and how relevant issues are significance to the business activities" and "clearly understand that social and environmental issues are dynamically interlinked and interconnected".

In the first section of the workshop held in 2015, corporate participants were given a lecture on the particular context in which human rights issues arise by members of NGOs/NPOs and subject experts. Then, they reviewed "Human Rights Issues by Sector (v.2)" based on Human Rights Guidance Tool⁵ (2014) developed by UNEP FI to examine any added/removed/modified points in the report. A main feature of the workshop focuses on emerging human rights issues on sexual minority and foreign workers which have been received much attention in Japan, which were raised by members of NGOs/NPOs and subject experts. Also, while human rights issues were identified in the 9 sectors in 2014, two new sectors were added to identify human rights issues (the 11 sectors in 2015).

² <http://www.unepfi.org/humanrightstoolkit/fundamentals.php> (Accessed on 2012.11.01)

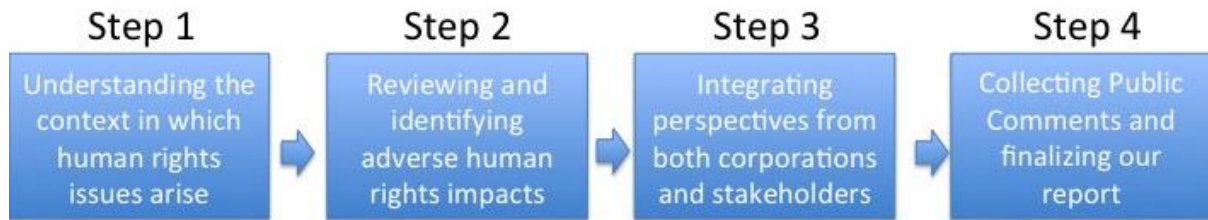
³ <http://www.unepfi.org/humanrightstoolkit/fundamentals.php> (Accessed Nov 10th, 2014).

⁴ Refer to: Nippon CSR Consortium, 2013, Human Rights Issues by Sector (2013), [PDF] Available at: http://www.crt-japan.jp/files/documents/HR_DD_Final%20report_E.pdf (Accessed Nov 10th, 2014).

⁵ <http://www.unepfi.org/humanrightstoolkit/> (Accessed on July 10th, 2015)

1-3. Procedure of the First Section of Workshop in 2015

The workshop consists of the following four steps.



Step1: Understanding the context in which human rights issues arise

- Corporate participants were given a lecture on the particular context in which human rights issues arise by members of NGOs/NPOs, academics and subject experts.

Step2: Reviewing and identifying adverse human rights impacts that can arise from corporate activities

- The corporate participants conducted a series of discussions by sector to examine any added/removed/modified points in “Human Rights Issues by Sector (v.2)” based on Human Rights Guidance Tool (2014) developed by UNEP FI.

Step3: Integrating perspectives from both corporations and stakeholders

- The participants summarised discussion contents and exchanged views on them with NGO/NPO, academic and subject experts. Then, the participants reviewed the feedbacks and finalize the result of the discussions by sector. The Secretariat aggregated their reports and developed “Human Rights Issues by Sector (draft)”.

Step4: Collecting Public Comments and finalizing our report

- The Secretariat invites public comments on “Human Rights Issues by Sector (draft)” from Tuesday, 8th September, 2015 to Friday, 6th November, 2015 (Japan time). Following consideration of the received comments, the secretariat will release “Human Rights Issues by Sector v.4” in December.

1-4. Some Points for Consideration

1-4.a Differing degrees of awareness of human rights issues

The levels of detail in the feedback provided by NGO/NPOs and the expert stakeholders were not consistent across the industry sectors, indicating differing study and priority areas among the experts. Similarly, there were gaps in the level of awareness of human rights issues among the corporate participants, reflecting similar gaps between their degree of understanding and engagement with human rights issues. Each company and sector can be placed in a different situation and the level of scrutiny may differ according to the company's size and sector.

1-4.b Scope of Study and Analysis

The workshop in 2015 and this outcome do not include the following study and analysis.

- The interconnection map of WEF Global Risks is not discussed or in the scope of analysis, as it is not related to the orientation and aim of the workshop.
- Ways of addressing the identified human rights issues and WEF Global Risks are not included in the scope of study as it is not related to the orientation and aim of the workshops. It will be an issue to be discussed next year as necessary.

2 Points for collecting Public Comments

We invite public comments on the following three points, 1-3. In the description of your comments, please specify the industry sector, page number, and concrete issue that your comment addresses, and the background and reason for your comments. You may use the Public Comments Sheet (Appendix 2) to submit your comments, if you prefer.

1. Please share any comments on “Human Rights Issues by Sector (draft)” document.
2. Please freely respond with any comments on “Human Rights Issues by Sector (draft)” document
3. Comments on the format and procedure of the final report

3. CRT Japan's viewpoint as the Secretariat of Nippon CSR Consortium

Making efforts in the “Business and Human rights” issues in the field of international CSR movement attract greater attention mainly among the Western countries. Demands for companies to take actions regarding CSR become certainly growing as their social environments are changed. These changes can be defined as: CSR legislation and CSR mandatory; a rapid market growth in the Socially Responsible Investing; developing the guidelines and rules on human rights issues; increasing the media coverage and the development of social media.

In addition, along with global business expansion, companies are always in a situation of facing local human rights and environmental issues which are occurring in areas of their operation sites. There are always various types of “risks” beyond the scope of companies’ understanding. This means that the companies are always exposed to unpredictable “mine risks”. From the perspective of risk-management, it is important for companies to deal with such social changes and issues.

“Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework” (2011) so-called “Ruggie framework” guided by the UN recommends implementing human rights due diligence which requires companies to identify, protect, mitigate and explain human rights impact.

The Nippon CSR Consortium was established in 2012, positioning a series of workshops as an activity that aims to assist companies in identifying and assessing any actual or potentially adverse human rights impacts as defined in the UN Guiding Principles. Through the Stakeholder Engagement Program in 2015, it came out to be clear that gaps still exist between the companies and the NGOs for the degree of understanding the “Business and human rights”. The companies do not fully understand the exact meaning of the specific terms in the context of NGOs. For instance, as for business overseas expansion and operation in local areas, the infringement of the right of indigenous people becomes a crucial matter in a context of NGOs. However, companies are likely to deal with this issue in a context of land ownership. Gaps, or “misconception”, between NGOs and the companies come out as an obstacle for advancing human rights because they take the same issue in different ways, with the one perceives it as their own while the others as issues of third parties.

Companies have to take them as their own challenge when addressing human rights risks relating them. This is an important lesson coming out to be clear through the Stakeholder Engagement 2015. The companies need to develop effective human rights grievance mechanisms, conduct a dialogue with human rights victims and NGOs supporting them to implement a human rights due diligence.

Through this process, the companies are able to listen to the local voices, recognize their specific pressing issues, and approach the identified issues and risks with utilizing high expertise and strategies. And, as outlined in the Guiding Principles, the companies should be held accountable for any harm they cause and outcomes of their actions, as well as should enhance their transparency by disclosing information linked to economic, environmental, and ethical aspects related to their businesses in order to ensure legitimacy. By doing so, the companies can earn “License to Operate” and trust from stakeholders which becomes a backbone for corporate sustainable competitiveness in the long run.

4.0 Human Rights Issues by Sector

4-1. Manufacturing (electricity, precision machinery, others)

Key value chains applicable to the manufacturing sector were classified into seven categories, and concrete issues were further explored focusing on the products and services specified below.

4.1.1 Key value chains in manufacturing sector

Create: research, development, design

Buy: capital investment, procurement

Manufacture: production, manufacturing

Transport: storage, logistics

Sell: distribution, sales and marketing

Use: consumption, utilization

Discard: disposal, recycling

4.1.2 Discussed products and services

- Thermal electric power plant
- *Electronic parts
- Digital camera

*Among various product families in electronic components, ferrite products (parts) were selected and their value chain was focused on.

4.1.3. Potential human rights issues in the specified products and services, relevant value chains

Key human rights issues in the manufacturing sector (electricity, precision machinery, others)			Concrete issues *Highly relevant value chains are shown in parentheses []	Value Chain						
				Create	Buy	Manufacture	Transport	Sell	Use	Discard
Core operation/ Supply chain	Workplace conditions	Working hours and wage	<ul style="list-style-type: none"> Long working hours may become the norm in overseas factories, due to low wages not matching local standards of living, and piece-rate work. 	✓	✓	✓	✓	✓		
			<ul style="list-style-type: none"> Unpaid overtime work in Japan. 	✓	✓	✓	✓	✓		
	Health and safety		<ul style="list-style-type: none"> Severe incidents causing death or injury especially within research and development, as well as manufacturing sites. [C/M] Long working hours may cause health problems, in particular, mental health problems. Progression of diseases by non-health checkups. Inadequate living conditions (living in a dormitory within the factory, sharing one small dormitory room with several people, being locked up for control) and poor sanitation (shower, toilet, etc.,) may affect the health of the employees. 	✓	✓	✓	✓	✓		
	Discrimination	During work	<ul style="list-style-type: none"> Inequality in working conditions, training, and promotion, discrimination against female workers and sexual minorities. 	✓	✓	✓	✓	✓		✓
	Child labour	Minimum age	<ul style="list-style-type: none"> There may be possible risks of child labour and trafficking through brokers in supply chains across developing countries (e.g. subcontracting works). Job applications may be made using fake identities. 		✓	✓	✓	✓		
	Forced or compulsory labour	Deposits and papers	<ul style="list-style-type: none"> “Mediators” may require foreign workers in Asian countries to hand over ID (e.g. passport) and/or pay excessive commission at the time of recruitment. 			✓	✓			✓
Forced overtime		<ul style="list-style-type: none"> Risk of long working hours may cause forced overtime, due to excessive quota requirements. 	✓	✓	✓	✓	✓			
Freedom of association and collective bargaining	—	<ul style="list-style-type: none"> Potential lack of communication/dialogue between labour representatives and unions. Potential insufficiency in institutionalization and operation of labour-management consultation and/or absence of substantive collective bargaining. Potential insufficiency in protecting workers’ rights in union shop Potential insufficiency in protecting worker’s right, where trade unions are banned or not fully implemented (including real cases where trade unions are banned). 	✓	✓	✓	✓	✓			

CAUX ROUND TABLE

Key human rights issues in the manufacturing sector			Concrete issues *Highly relevant value chains are shown in parentheses [].	Value Chain						
				Create	Buy	Manufacture	Transport	Sell	Use	Discard
Community	Resources	Use of natural resources	<ul style="list-style-type: none"> Designing and developing products, transporting and sale with low environmental burdens (less electric consumption, easy to recycle). [C/U/D/T/U] Abuse and contamination of land and water at a factory or local construction site. [B/M/D] 	✓	✓	✓	✓	✓	✓	✓
	Security	Non-state groups and security payments	<ul style="list-style-type: none"> Potential diversion of funds, goods and services⁶ to non-state groups, and armed groups. (e.g. conflict minerals⁷) 		✓					
Society and government	Relations with governments	Relations to states with poor human rights records	<ul style="list-style-type: none"> A new venture (e.g. plant construction) by a government may be launched without obtaining appropriate consent from local communities, including indigenous people and minorities. At time of bidding for a plant construction and operation, the labour standard presented by a host government may not comply with the international standards. Offshore development[C], road infrastructures [T], waste disposal[D] 	✓	✓	✓	✓	✓	✓	✓
		Bribery and corruption	<ul style="list-style-type: none"> Potential risk of being involved in bribery and corruption, such as facility payments, especially at time of obtaining licenses and authorizations. [M] Possible risks of corruption when entering into a contract, customs of the manufacturing industry, friendships when contracting and operating, as well as of being involved in corrupt practices when receiving orders from government. [S] 	✓	✓	✓	✓	✓	✓	✓
Consumer	Relations with customers	Health and safety	<ul style="list-style-type: none"> Potential positive impacts of changing consumer behaviours (e.g. conducting responsible marketing considering health and safety of consumers) [S], and contributing to raising consumers' awareness of environmental issues. [U/D] Potential risk to the lives or bodies of end consumers are created due to a defect in specified products provided through the customer/clients. [C/M] 	✓		✓		✓	✓	✓

⁶ Voluntary Principles on Security and Human Rights to identify benchmarks (<http://www.voluntaryprinciples.org>)

⁷ The law on using conflict minerals is now quite clear, and as part of their due diligence, companies need to take many measures into account. Refer to *The OECD Due Diligence Guideline for Responsible Supply Chain of Minerals from Conflict-Affected and High-Risk Areas* (<http://www.oecd.org/corporate/mne/mining.htm>) and an example, the *Dodd-Frank Wall Street Reform and Consumer Protection Act* (<http://www.sec.gov/about/laws/wallstreetreform-cpa.pdf>) Conflict minerals directly contribute to the maintenance of conflict and are associated with sexual violence against women and girls, such as that in the North and South Kivus.

4.1.4 Human rights issues in the manufacturing sector and the relevant value chains, other than the specified products and services

- Core operation/ Supply chain > child labour > minimum age and Community > resources > others
Products collected in industrialized countries for recycling purpose are shipped to developing countries and disposed there finally as waste. There is a potential risk of child labour, if children are involved in collecting recyclable material from the wastes in these countries. If the products/waste is hazardous and toxic and poorly-handled, there is a potential risk of disastrous human rights consequences for the health and safety of the people in community⁸. [D]
- Community > resources > use of natural resources
Protecting traditional knowledge of indigenous people, and sharing with them the profits derived from the use of such knowledge. (ABS: Access and Benefit-Sharing) [C/B]

⁸ Case profile: Tragigura lawsuits in Cote d'Ivoire.
(<http://business-humanrights.org/en/trafigura-lawsuits-re-côte-d'ivoire#c9344>)

4-2. Manufacturing (Infrastructures)

Key value chains applicable to the manufacturing sector were classified into seven categories, and concrete issues were further explored focusing on the products and services specified below.

4.2.1 Key value chains in manufacturing sector

Create: research, development, design

Buy: capital investment, procurement

Manufacture: production, manufacturing

Transport: storage, logistics

Sell: distribution, sales and marketing

Use: consumption, utilization

Discard: disposal, recycling

4.2.2 Discussed products and services

- Thermal electric power plant
- *Electronic parts
- Digital camera

*Among various product families in electronic components, ferrite products (parts) were selected and their value chain was focused on.

4.2.3 Potential human rights issues in the specified products and services, relevant value chains

Key human rights issues in the manufacturing (infrastructures) sector			Concrete issues *Highly relevant value chains are shown in parentheses []	Value Chain								
				Create	Buy	Manufacture	Transport	Sell	Use	Discard		
Core operation/ Supply chain	Workplace conditions	Working hours and wage	• Long working hours may become the norm in overseas factories, due to low wages not matching local standards of living, and piece-rate work.		✓							
			• Unpaid overtime work in Japan (increasing at-home overtime along with development of IT).	✓	✓	✓	✓	✓				
		Health and safety	• Severe incidents causing death or injury especially within research and development, as well as manufacturing sites. [C/M]	✓								
			• Long working hours may cause health problems, in particular, mental health problems.	✓	✓	✓	✓	✓	✓	✓	✓	
			• Inadequate living conditions (living in a dormitory within the factory, sharing one small dormitory room with several people, being locked up for control) and poor sanitation (shower, toilet, etc..) may affect the health of the employees.		✓	✓						
	Discrimination	During work/ Employment	• Inequality in working conditions, training, and promotion, discrimination against female workers, disabilities, sexual minorities, ethnic groups and religions)	✓	✓	✓	✓	✓			✓	
	Child labour	Minimum age	• There may be possible risks of child labour and trafficking through brokers in supply chains across developing countries (e.g. subcontracting works). Job applications may be made using fake identities.		✓	✓						
	Forced or compulsory labour	Deposits and papers	• “Mediators” may require foreign workers in Asian countries to hand over ID (e.g. passport) and/or pay excessive commission at the time of recruitment.		✓	✓						
		Forced overtime	• Risk of long working hours may cause forced overtime, due to excessive quota requirements.	✓	✓	✓	✓	✓				
	Freedom of association and collective bargaining	—	<ul style="list-style-type: none"> • Potential lack of communication/dialogue between labour representatives and unions. • Potential insufficiency in institutionalization and operation of labour-management consultation and/or absence of substantive collective bargaining. • Potential insufficiency in protecting workers’ rights in union shop • Potential insufficiency in protecting worker’s right, where trade unions are banned or not fully implemented (including real cases where trade unions are banned). 	✓	✓	✓	✓	✓	✓			

CAUX ROUND TABLE

Key human rights issues in the manufacturing (infrastructures) sector			Concrete issues *Highly relevant value chains are shown in parentheses [].	Value Chain							
				Create	Buy	Manufacture	Transport	Sell	Use	Discard	
Community	Resources	Use of natural resources and infrastructures	<ul style="list-style-type: none"> • Designing and developing products with low environmental burdens (less electric consumption, easy to recycle). [C/U/D] • Grabbing of lands that local people can access to water in and can use for agricultures as basis of their lives. 		✓	✓					✓
	Security	Non-state groups and security payments	<ul style="list-style-type: none"> • Potential diversion of funds, goods and services⁹ to non-state groups, and armed groups. (e.g. conflict minerals¹⁰) 		✓						
Society and government	Relations with governments	Relations to states with poor human rights records	<ul style="list-style-type: none"> • A new venture (e.g. plant construction) by a government may be launched without obtaining appropriate consent from local communities, including indigenous people and minorities. 		✓	✓					
			<ul style="list-style-type: none"> • Possible risks that standards of local laws are lower than international standards. 	✓	✓	✓	✓	✓	✓	✓	
	Bribery and corruption		<ul style="list-style-type: none"> • Potential risk of being involved in bribery and corruption, such as facility payments, especially at time of obtaining licenses and authorizations. [M] 		✓	✓	✓	✓			
			<ul style="list-style-type: none"> • Possible risks of corruption when entering into a contract, customs of the manufacturing industry, friendships when contracting and operating, as well as of being involved in corrupt practices when receiving orders from government. [S] 					✓			
Consumer	Relations with customers	Health and safety	<ul style="list-style-type: none"> • Potential risk to the lives or bodies of end consumers are created due to a defect in specified products and services provided through the customer/clients 	✓	✓	✓		✓	✓	✓	

⁹ Voluntary Principles on Security and Human Rights to identify benchmarks (<http://www.voluntaryprinciples.org>)

¹⁰ The law on using conflict minerals is now quite clear, and as part of their due diligence, companies need to take many measures into account. Refer to *The OECD Due Diligence Guideline for Responsible Supply Chain of Minerals from Conflict-Affected and High-Risk Areas* (<http://www.oecd.org/corporate/mne/mining.htm>) and an example, *the Dodd-Frank Wall Street Reform and Consumer Protection Act* (<http://www.sec.gov/about/laws/wallstreetreform-cpa.pdf>) Conflict minerals directly contribute to the maintenance of conflict and are associated with sexual violence against women and girls, such as that in the North and South Kivus.

4.2.4 Human rights issues in the manufacturing sector and the relevant value chains, other than the specified products and services

- Core operation/ Supply chain > child labour > minimum age and Community > resources > others

Products collected in industrialized countries for recycling purpose are shipped to developing countries and disposed there finally as waste. There is a potential risk of child labour, if children are involved in collecting recyclable material from the wastes in these countries. If the products/waste is hazardous and toxic and poorly-handled, there is a potential risk of disastrous human rights consequences for the health and safety of the people in community¹¹. [D]

- Community > resources > use of natural resources

Protecting traditional knowledge of indigenous people, and sharing with them the profits derived from the use of such knowledge. (ABS: Access and Benefit-Sharing) [C/B]

¹¹ Case profile: Tragigura lawsuits in Cote d'Ivoire.
<http://www.business-humanrights.org/Categories/Lawlawsuits/Lawsuitsregulatoryaction/LawsuitsSelectedcases/TrafiguralawsuitsreCtedIvoire>

4-3 Information, Communication and Technology (ICT)

Key value chains applicable to the ICT sector were classified into six categories, and concrete issues were further explored focusing on the products and services specified below.

4.3.1 Key value chains in ICT sector

Create: research and development

Buy: capital investment for office and data centre, procurement of machine/equipment/raw materials and soft ware

Produce: information planning, program development, system maintenance

Sell: network provider, sharing system, system maintenance & operation service, sales and marketing

Use: shared system operation, data archival

Discard: depreciation/amortization

4.3.2 Discussed products and services

The shared account management system for over-the-counter sales of investment trusts

4.3.3 Potential human rights issues in the specified products and services, relevant value chains

Key human rights issues in ICT sector			Concrete issues *Highly relevant value chains are shown in parentheses [].	Value Chain					
				Create	Buy	Produce	Sell	Use	Discard
Core operation/ Supply chain	Workplace conditions	Working hours	<ul style="list-style-type: none"> Long working hours (including attendance at weekends) and unpaid work in system development process (e.g. pre-release period, during system trouble) [C/B/P/U] Industrial health and safety of workers at overseas subcontractors (outsourcers) and/or System Integrators may not be ensured, because political and economic factors are different from Japan. [C/P/U] 	✓	✓	✓	✓	✓	
		Health and safety	<ul style="list-style-type: none"> Long working hours may cause health problems, especially mental health problems Possible risks to safety and health due to work at facilities of networks 	✓		✓	✓	✓	
	Discrimination	During work	<ul style="list-style-type: none"> Gender (discrimination against female workers), sexual orientation and nationality inequality in training and promotion Female workers may be transferred to other departments without their will, after taking maternity leave. Workers who take care of other family members may be transferred to other departments without their will. 	✓		✓		✓	
	Forced or compulsory labour	Forced overtime	<ul style="list-style-type: none"> Excessive quota requirements may lead to long working hours and forced overtime. 	✓		✓	✓	✓	
	Freedom of association and collective bargaining	Conflict with local law	<ul style="list-style-type: none"> Freedom of association and collective bargaining may not be ensured. 	✓		✓			
	Protection and storage of personal data	—	<ul style="list-style-type: none"> Personal information held by the company may be leaked. Personal information may be gathered and used without gaining agreement of individuals. Inadequate education to employees who deal with management of personal information may not contribute to a rise in awareness of them. Consumers may not be able to acquire ways to recognize and avoid risks due to inadequate trainings and education on risks of personal information to them. 			✓	✓	✓	✓

CAUX ROUND TABLE

Key human rights issues in ICT sector (continued)			Concrete issues *Highly relevant value chains are shown in parentheses [].	Value Chain					
				Create	Buy	Produce	Sell	Use	Discard
Community	Resources	Use of natural resources (water, land, etc.)	<ul style="list-style-type: none"> Environmental friendly energy use at a data centre (e.g. energy saving, responsible power source management.) and water use [B] Having a negative impact on the lives of communities, such as through noise and odor emissions from a data centre. [U] Potential risks of environmental pollution from inappropriately discarded electronic devices. [D] 		✓			✓	✓
		Use of infrastructure	<ul style="list-style-type: none"> Having a positive impact on local communities such as by improving local infrastructure through the establishment of an ICT network system. [P/U] Users' social lives may be threatened by suspension of service caused by electricity and technical trouble. [U] 			✓		✓	
		Community investment	—	<ul style="list-style-type: none"> Making a positive impact on local communities through information provision and ICT services, such as enhancement of local peoples' lives by reducing the digital divide. 			✓		✓
Society and government	Relations with governments	Relations to states with poor human rights record	<ul style="list-style-type: none"> Insufficient legal systems in host countries may cause challenges in controlling forced overtime work. (e.g. at contracted local company for offshore development projects) [P] Potential violations of land ownership rights of local peoples at the time of government purchase of land for industrial park from of minority community. [B] Possible risks surrounding demands from government authorities to provide private information. [S/U] 		✓	✓	✓	✓	
		Bribery and corruption	<ul style="list-style-type: none"> Potential risks of being involved in bribery and corruption, notably in offshore market research, and sales and marketing (especially in ICT service provision for government agencies.) [C/S] 	✓			✓		
Consumer	Relations with customers	—	<ul style="list-style-type: none"> Potential violation of privacy by information leakage, especially in system operation Big Data services that gather public consumer data may unintentionally identify personal data by combining information, and there is a potential risk of misuse the customer personal data for commercial purposes without prior approval from users. Possible risks of violating human rights due to improper websites (suicide websites) and improper use of ICT (revenge porn). Violence on the Internet, verbal abuses, and porn may pose risks of giving adverse impacts on psychological development of children. 				✓	✓	

*Human rights issues in the ICT sector and the relevant value chain, other than the specified products and services

- Society and government > Relations with governments > Freedom of expression and Privacy.

Potential violations of freedom of expression when:

a company receives direct requests from host governments to censor content and close down networks,

a company operates in countries where the law requires restrictions on the freedom of expression due to strict social and cultural values, or where repressive regimes do not tolerate dissent,

a company's technologies and products are misused to repress freedom of opinion, speech and expression.

[B/S]

- Consumer > Relations with customers

Having a negative impact on children's rights, arising from child pornography; online solicitation or

'grooming', and exposure to unsuitable materials. This can cause psychological harm or lead to physical

harm; and harassment and intimidation. Rapid developments in the ICT sector have facilitated the creation

and dissemination of images of the sexual abuse of children, heightening the need for businesses to exercise due diligence.

Reference Sources

- Institute for Human Rights and Business and Shift, *ICT Sector Guide on Implementing the UN Guiding Principles on Business and Human Rights*, 2013.

<http://www.ihrb.org/publications/reports/human-rights-guides.html> (accessed February 25th 2014)

- Ericsson, *ICT and Human Rights: an ecosystem approach*, 2012.

http://www.ericsson.com/res/thecompany/docs/corporate-responsibility/2012/human_rights0521_final_web.pdf (accessed February 25th 2014) *The ICT value chain is described for one sub-sector.

4-4 Logistics

4.4.1 Key value chains in logistics

Create: research, development

Buy: capital investment, procurement of ships and vehicles

Transport: storage, logistics, transportation

Discard: disposal, recycle

4.4.2 Discussed products and services

- Intermodal freight transport
- Maritime transport
- Traffic

4.4.3 Potential human rights issues in the specified products and services, relevant value chains

Key human rights issues in logistics sector			Concrete issues *Highly relevant value chains are shown in parentheses [].	Value Chain			
				Create	Buy	Transport	Discard
Core operation/ Supply chain	Workplace conditions	Working hours	※ Logistics and Traffic industries are a labor-intensive industry. Though it is anticipated that mechanization is further advanced in the future, laborious work of human beings will still remain. <ul style="list-style-type: none"> • Long working hours at fields and subcontracting companies especially in busy seasons. • Long working hours such as night work and early morning work due to time difference with other countries • Because logistics industry has the public nature, unexpected long working hours may happen during occurrence of disasters. 			✓	
		Low wages	<ul style="list-style-type: none"> • Wages may be lower than levels of wage • Working hours may get longer due to expansion of mail-order markets. As a result, wages per unit of time decrease 			✓	
		Health and safety	※ Dangerous work always exist in sites of logistics and traffic such as loading and unloading heavy objects, transporting, using large machines, vehicles, work nearby trains. It is important to make daily efforts to prevent risks from occurring so as to keep working places safe. <ul style="list-style-type: none"> • Workplace accidents could occur due to lack of sufficient safety instructions at site where heavy machinery and cargos operate, such as terminal and ship under operation for marine transportation industry. (shipping industry) • Safety of workers in marine transportation industry when in waters in which piracy can take place • Because logistics industry has the public nature, secondary disasters of labor hazards may occur • Long working hours may cause mental health risks. 			✓	
	Discrimination	During work	※ As lack of human capital due to a shrinking population is anticipated, personnel and forms of employment such as contract/temporary workers, ex-employer based on reemployment system, the change of the employment status of temporary employees to regular employees, reduction of working hours, working at home. <ul style="list-style-type: none"> • Inequality in working conditions, training and promotion may occur due to various types of employments and various human capitals. • Foreigner nationals especially in port services may face discriminatory treatment in employment and payment. (shipping industry) • Uniform treatment to workers without consideration of religions and cultures. 			✓	

Key human rights issues in logistics sector (Continued)			Concrete issues *Highly relevant value chains are shown in parentheses [].	Value Chain			
				Create	Buy	Transport	Discard
Core operation/ Supply chain	Discrimination	Redundancy and dismissal	<p>※ Because difference in regular period and busy period is large, and transport routes/traffic systems change, necessary labor force may change largely according to seasons.</p> <ul style="list-style-type: none"> • Potential risks of hiring temporary workers to replace full-time workers or to avoid employment protection¹² and requests for permanent employment by part-time and contract workers may not be duly considered. 			✓	
Community	Resources	Use of natural resources	<p>※ Diversification of power generation by the user of fossil fuels, nonconventional natural gas resources, as well as natural energy makes a progress.</p> <ul style="list-style-type: none"> • Potential risks of causing or contributing to environmental contamination, air pollution, water quality degradation or destruction of natural habitats at the site of oil extraction. [B] • Exhaust gas from vehicles operating frequently along the same route may cause or contribute to local air pollution. [T] • Environmental destruction such as soil contamination, water quality degradation, air pollution may occur due to construction and use of factories, railroads, logistic centers. 		✓	✓	
		Use of infrastructure	<ul style="list-style-type: none"> • Vehicles and ships operated by companies may cause a damage on roads and ports where they operate • Vehicles operated by companies may cause a traffic jam on roads where they operate 		✓		✓
	Security	State provision of security	<ul style="list-style-type: none"> • Potential risk of excess use of force like violence by national navies dispatched to areas where piracy is occurring or by armed guard hired by a company to protect logistic centers in less secure areas. • Potential risk of excess use of force like violence by armed guard on-board ships to mariners and piracy. (shipping industry) • A potential risk to navies, piracy may abuse the rights of local communities such as fishermen. (shipping industry) 			✓	

¹² Companies should provide appropriate employment with supporting employment contracts. Please see the guidance on employment and recruitment agencies here for further elaboration: (<http://www.ihrb.org/publications/reports/human-rights-guides.html>)

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Key human rights issues in logistics sector (Continued)			Concrete issues *Highly relevant value chains are shown in parentheses [].	Value Chain			
				Create	Buy	Transport	Discard
	Community Investment		<ul style="list-style-type: none"> • Possible contribution to local people living in areas where disasters occur by opening logistic centers as evacuation places. • Possible contribution to reduction of local poverty by participating in projects aiming to create employment opportunities in countries where piracy is occurring. (shipping industry) • Possible contribution to improvement of local infrastructure by developing access and tourism with consideration of future availability, including temporary tourism campaigns. (Logistics industry, transport) 	✓	✓	✓	
Society and government	Relations with governments	Bribery and corruption	<ul style="list-style-type: none"> • Possible risk of being involved unintentionally in bribery and corruption such as by way of facilitation payment. [T] • Potential risk of being involved in collusion, bribery and corruption at the time of negotiating investments and route development with governments and legislative authorities. [C/B] 	✓	✓	✓	
Others	Trafficking	Trafficking in human	<ul style="list-style-type: none"> • Potential risk of direct association with trafficking through the transportation of trafficking victims (via international airlines and shipping companies). 			✓	

4-5 Finance

Key value chains applicable to the finance sector were classified into five categories, and concrete issues were further explored focusing on the products and services specified below.

4.5.1. Key value chains in Finance Sector

Create: financial commodity planning, research, development

Buy: capital investment for office and data centre, financing

Produce: establishing fund

Sell: manage, review, loan, selling financial products, money transfer network/system, sales and marketing

Use: fund management and account maintenance, credit cards

4.5.2. Discussed products and services

- Investment trust fund
- Mutual fund (loan)
- Mid-term & long-term domestic lending, credit card company

4.5.3 Potential human rights issues in the specified products and services, and relevant value chains

Key human rights issues in finance sector			Concrete issues *Highly relevant value chains are shown in parentheses [].	Value Chain				
				Create	Buy	Produce	Sell	Use
Core operation/ Supply chain	Workplace conditions	Working hours	<ul style="list-style-type: none"> Risk inherent in working long hours as customer's needs and operations diversify and due to increases in non-routine work. 	✓			✓	
		Health and safety	<ul style="list-style-type: none"> Long working hours may lead to illness including mental health risks 	✓			✓	
	Discrimination	During work	<ul style="list-style-type: none"> Possible discrimination against gender, sexual orientation, nationality and religion in training and promotion Management ability and quality of managers 	✓			✓	
Community	Access to land	Title to land	<ul style="list-style-type: none"> Lack of regulations for protecting land ownership, such as hypothecate in regards to financial transactions, may lead to infringement of human rights. Potential risks of being held lender's responsibilities concerning credit mortgages 	✓		✓	✓	
	Community investment	-	<ul style="list-style-type: none"> Positive impacts on job creation and access to education through microfinance. [C] Positive impacts by dealing in financial products designed to support infrastructure improvement in developing countries. [C] On the infrastructure improvement and development, there is a potential risks of adverse consequences for human rights, if the land acquisition has been undertaken without free and prior informed consent, or if force has been used, poor resettlement, environmental and other social impacts. 	✓				

Key human rights issues in finance sector			Concrete issues *Highly relevant value chains are shown in the parenthesis [].	Value Chain				
				Create	Buy	Produce	Sell	Use
Society and government	Relations with society	Money laundering and transparency	<ul style="list-style-type: none"> • Potential risk of facilitating money laundering of funds acquired through, e.g. trading questionable assets, illegal drugs or gambling. [B/S] • e.g: 2015 FIFA corruption bribery case 		✓		✓	
		Rights of indigenous peoples	<ul style="list-style-type: none"> • Potential risks which may be caused by overseas Japanese banks that do not adopt the same loan conditions settled by IFC 					
		Consideration for the environment and society	<ul style="list-style-type: none"> • Potential risks that may be caused by banks that do not ratify the Equator Principals yet. 					
		Consideration for the Environment, Society and the Corporate governance	<ul style="list-style-type: none"> • Potential risks that may be caused by financial institutions which do not properly deal with PRI (Principles for Responsible Investment) and Japanese version of Stewardship Code published by Financial Services Agencies in 2014. 					
Customer	Investments, loans, and individual investors	—	<ul style="list-style-type: none"> • Human rights are not fully considered when conducting screening and audits in regard to funds and investment. Compliance with the Equator Principles is desirable [S/U] • Respect for land ownership rights of indigenous people; need for sharing of benefits obtained from indigenous knowledge, such as in relation to raw materials. [C/S] • Risk of involvement in human rights impacts through business relationships, by including companies involved such impacts in a portfolio. [P] • Possible risk of excessive debt/credit extended to consumers who are in no position to repay, and the possible use of extortion by outsourced collection agencies. 	✓		✓	✓	✓
		Prevention of financial damage on elderly people	<ul style="list-style-type: none"> • Fraud by “<i>ore-ore sagi</i>” (“Hey-it’s-me” scam) and peeking at touch-panel of ATM-machine. 					
		Considering for the usages of the credit card by the disabled customers	<ul style="list-style-type: none"> • Potential risks to disabled customers for facing an obstacle in receiving the same services as healthy customers do. 					

4.5.4 Reference sources

- Thun Group of Banks, *Discussion Paper for Banks on the Implementation of the UN Guiding Principles on Business and Human Rights 16-21*, October 2013
<http://www.business-humanrights.org/media/documents/thun-group-discussion-paper-final-2-oct-2013.pdf>
(accessed 13th March 2014)
- Institute for Human Rights and Business, *Investing the Rights Way: A Guide for Investors on Business and Human Rights*, 2013. <http://www.ihrb.org/pdf/Investing-the-Rights-Way/Investing-the-Rights-Way.pdf>
(accessed 13th March 2014)

4.5.5 Focal Issues/Challenges towards 2014

Many financial institutions have close relationships through lending, investment and underwriting with all the industrial sectors and businesses they support. This means that the finance institutions are exposed to human rights issues/risks inevitably, through the activities of their clients, as participation in or association with human rights violations, even indirectly, may negatively affect a company's profitability or reputation. Through putting in place human rights due diligence mechanisms, not only do finance institutions address their own risks, but also affect the way in which companies in their sphere of influence tackle human rights. This facilitates mitigating and addressing potential risks, as well as leading to a more human rights-aware business community at large.

- To separate out the impacts of the financial institution itself and those to which the financial institution is directly linked through its business relationships.
- Wider collaboration including representatives from the banking, investing and insurance sectors in this platform of discussion would be needed, in order to make the current paper and any related follow-up work as relevant as possible for the finance industry.

4-6 Chemicals and Construction Materials

Key human rights issues in chemical and construction material sectors			Concrete issues	Value chain													
				Funding	Facility	Research	Develon	Procure	Manufacture	Storage	Transport	Sell	Use	Discard	Others		
Core operation/Supply chain	Workplace condition	Working hours	<ul style="list-style-type: none"> • BtoB companies may face possible occurrence of overtime work arising from receiving orders without consideration of resources. (one's company and supply chain) • Not enough understanding on the degree of importance in working hour management corresponding to working conditions that differ according to countries/areas. (supply chain) 		✓	✓	✓	✓	✓		✓	✓					
		Health and safety	<ul style="list-style-type: none"> • There are relatively many sources of risks as the industry that use hazardous substances (chemical substances) and large scale facilities. (one's company and supply chains) • Possible risks of causing health hazards to employees and final consumers if suppliers do not provide complete information on chemical substances. (one's company and supply chain) • Possible risks of violating human rights by outsourcing companies that conduct safety and functionality tests to human beings with poor ethical values. (supply chains) 		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
		Disciplinary measures	<ul style="list-style-type: none"> • Because practices of disciplinary measures differ largely according to countries and regions, there are possible risks of developing policies on disciplinary measures that do not match regions. (one's company) • Inadequate grievance mechanisms against disciplined persons (one's company) • Difficulty in understanding actual situations of disciplinary measures against suppliers, because practices of disciplinary measures differ largely according to countries and regions. (supply chains) 		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
	Discrimination	During work	<ul style="list-style-type: none"> • Cases of discrimination issues differ in areas and time (for instance, discrimination against sexual minorities has occurred in 2015). Elimination of discrimination during work globally remains unsolved. (one's company and supply chains) • Possible risks of violating human rights of disabled people due to the delay of development of working places. (one's company and supply chains) 		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		

Key human rights issues in chemical and construction material sectors (continued)			Concrete issues	Value Chain											
				Funding	Facility	Research	Develop	Procure	Manufacture	Storage	Transport	Sell	Use	Discard	Others
Core operation/Supply chain	Discrimination	Redundancy and dismissal	<ul style="list-style-type: none"> • Clear and convincing selection standards may not be presented during redundancy and dismissal (one's company and supply chain) • Possible risks such as taking a legal case from not conducting an appropriate communication based on standards of judgment for redundancy. (one's company and supply chains) 		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
	Forced Labour	Deposits and papers	<ul style="list-style-type: none"> • There are high reputational risks during occurrence of forced labour, because the presence or absence of migrant workers is not globally and comprehensively identified. (one's company and supply chains) 		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		Forced overtime	<ul style="list-style-type: none"> • BtoB companies may possibly demand forced overtime, because they receive orders without consideration of their resources (volunteer overtime work ends up being overtime work) (one's company and supply chains) 		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		Trafficking in human	<ul style="list-style-type: none"> • There are high reputational risks during occurrence of forced labour, because the presence or absence of migrant workers is not globally and comprehensively identified. (one's company and supply chains) 		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
	Freedom of association	Freedom of association and collective bargaining	<ul style="list-style-type: none"> • Possible risks of facing a production suspension due to occurrence of strikes and boycotts, if negotiation between management and labour is not conducted correctly. (one's company and supply chains) • Employees may not have a means to discuss issues related to labour without interference of companies. (one's company and supply chains) 		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		Conflict with local law	<ul style="list-style-type: none"> • Possible risks of facing a production suspension due to occurrence of strikes and boycotts, if negotiation between management and labour is not conducted correctly. (one's company and supply chains) • Employees may not have a means to discuss issues related to labour without interference of companies. (one's company and supply chains) 		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

Key human rights issues in chemical and construction material sectors (continued)			Concrete issues	Value chain											
				Funding	Facility	Research	Develop	Procure	Manufacture	Storage	Transport	Sell	Use	Discard	Others
Community	Resources	Use of natural resources	<ul style="list-style-type: none"> The industry may give a huge impact to local communities, as it uses a relatively large amount of resources and has a potential for causing pollution damage by discharge and leak of hazardous materials. (one's company and supply chains) Possible risks of water depletion due to construction of factories and deforestation. (supply chains) Possible risks of causing an adverse impact on local communities due to depletion of natural resources. (supply chains) 		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
	Relations with governments	Bribery and corruption	<ul style="list-style-type: none"> Due to an extension of the scope of application of legislation on bribery and increase in enormous surcharge payment, there are potential impacts of giving to stakeholders such as employees and investors (one's company and supply chains) Bribery and excessive treatment to foreign public officials, risks of excessive payment to smoothen transactions, risks of receiving an order of suspension of operations from not engaging. (one's company and supply chains) 					✓	✓	✓	✓	✓	✓	✓	
		Gov'ts with poor human rights records	<ul style="list-style-type: none"> Potential risks of being involved in violations of human rights due to operations in countries with poor human rights activities. (one's company and supply chains) Potential risks of being involved in violations of human rights by gaining permissions from local governments (reputational risks by operations in countries with poor human rights records and risks involved in human rights abuses) (one's company and supply chains) Potential risks of squeezing profits, because it requires more resources to undertake activities to raise awareness of human rights. (one's company) 					✓	✓	✓		✓	✓	✓	
	Relations with consumers	Health and safety	<ul style="list-style-type: none"> Potential risks of causing health hazards to consumers, because chemical materials are used. Also, risks are present if information on value chains is not properly shared. (one's company and supply chains) 										✓	✓	

4-7 Pharmaceuticals

Key human rights issues in pharmaceutical sector			Concrete Issues	Value chain							
				Research	Develop	Procure	Manufacture	Transport	Consume	Discard	
Core operation/Supply chain	Work conditions and others	Health and safety	<ul style="list-style-type: none"> The use of chemical compounds or/and pharmaceutical products without adequate protections may endanger the health and safety of employees. 	✓			✓				
			<ul style="list-style-type: none"> During the clinical development stage of pharmaceutical production, the health and safety of study participants may not be managed properly at contract research organizations. Moreover, there may be fraud in clinical trials and data. 		✓						
Community	Resources	Use of natural resources	<ul style="list-style-type: none"> Bio-piracy may occur as sourcing natural compounds that are essential for drug development. 	✓		✓					
	Environmental Impacts of pharmaceutical products	Health and safety	<ul style="list-style-type: none"> Possible risks of polluting the environment by a leakage of pharmaceutical products and chemical compounds to nature. Possible risks of harming the health of residents by the environmental pollution, and possible risks of polluting animals and plants that residents live on. 	✓			✓	✓		✓	
Relations with governments	Operations in pre and post conflict countries	Risks of providing products	<ul style="list-style-type: none"> Possible risks of not providing products with people in needed due to unstable social situations. 					✓			
	Entry post conflict countries	Risks of providing products	<ul style="list-style-type: none"> Possible risks of not providing products with people in needed due to unstable social situations. 					✓			

Key human rights issues in pharmaceutical sector (continued)			Concrete issues	Value chain								
				Research	Develop	Procure	Manufacture	Transport	Consume	Discard		
Relations with governments	Bribery and corruption	Relations with approved persons	<ul style="list-style-type: none"> Possible risks of taking illegal acts to require a smooth approval to approved persons of manufacturing and selling (central governments and local governments) 		✓		✓	✓				
		Relations with medical persons	<ul style="list-style-type: none"> Possible risks of taking illegal acts to require creating data that gives advantage in sales and promotion, falsifying data on treatment and prescription. 		✓	✓			✓			
Society and government	Relations with governments	Gov'ts with poor human rights records	<ul style="list-style-type: none"> Company's support for public health activities in state/ local community may be misused by government and those who have a political agenda for political purposes such as in propaganda. 					✓	✓			
Consumers	Relations with patients	Health and safety	<ul style="list-style-type: none"> Taking positive actions towards the fight against counterfeit medicines 				✓	✓	✓	✓		
			<ul style="list-style-type: none"> Delay in reporting adverse drug reactions and in conducting recalls may endanger health and safety of patients. 				✓	✓	✓			
			<ul style="list-style-type: none"> Risks of testing drugs without prior informed consent of patients 	✓								
			<ul style="list-style-type: none"> Adverse drug reactions and wrong prescriptions may endanger health and safety of patients 						✓			
			<ul style="list-style-type: none"> Potential damage on the environment by discarding products improperly that patients do not use. 							✓	✓	

Key human rights issues in pharmaceutical sector (continued)			Concrete issues	Value chain						
				Research	Develop	Procure	Manufacture	Transport	Consume	Discard
Others	Public health	Actions to pandemic	<ul style="list-style-type: none"> • New pandemic virus may endanger lives of people and deteriorate the public health of communities. • Potential risks to business operations due to social unrest and worsening security concerns by pandemic 				✓	✓		
			<ul style="list-style-type: none"> • Potential risks that the international community may not take proper measures against transmitting pandemic. • Possible risks of lack of drugs and medicines at a global level due to worldwide pandemic 				✓	✓		
	Personal information	Management of medical information of patients	<ul style="list-style-type: none"> • Possible risks of a leak of personal data of patients, identification of specific individuals, and illegal use of data of patients 	✓	✓					

Reference Source for Pharmaceutical Sector:

Access to Medicines Index. <http://www.accesstomedicineindex.org/> (accessed February 25th 2014)

4-8. Apparel and Textiles

Key human rights issues in apparel and textiles sector			Concrete issues	Value chains						
				Create	Buy	Manufacture	Transfer	Sell	Use	Discard
Core operation / supply chain	Working Conditions	Working hours	<ul style="list-style-type: none"> Long working hours may be caused by (a) production schedules that presuppose overtime work, as well as in attempting to meet delaines in the sewing process, (b) low wages not matching local standards of living, (c) piece-rate work, and (d) repair work of a large volume of inferior products Rest days required by law may not be given, and limits of overtime hours may not be regulated due to improper labor management. 	✓	✓	✓	✓	✓		
		Wages	<ul style="list-style-type: none"> Pressure from buyers for cost reductions may result in infringement of minimum wage legislation. Frequent revisions of minimum wages in some countries may result in infringement of minimum wage legislation. Risks that proper rewards for overtime hours are not paid, caused by poor compliance with laws and poor labor management. Proper rewards for productivity may not be paid. 	✓	✓	✓	✓	✓		
		Health and safety	<ul style="list-style-type: none"> Education on safety and health, including emergency drills, first-aid drills, and handling instructions on toxic chemical substances may not be conducted or may not be conducted properly. Insufficient efforts to improve a harmful working environment to heaths such as loud noise, vibration, temperature, ventilation and exhaust may cause heath hazards. Risks of having pregnant women and young people engage in dangerous or injurious work. Workers may not receive Personal Protection Equipment (PRE) at dangerous and injurious working places, thus being exposed to danger and harm. Workers may be exposed to danger and harm due to lack of inspection on facilities and machines required for inspection. Workers may be exposed to danger and harm due to lack of proper inspection on safety equipment for machines and facilities, and on protection equipment. Workers may be exposed to danger and harm due to aging buildings, illegal construction and improper provision of emergency exits and escape routes. 	✓	✓	✓				

Key human rights issues in apparel and textiles sector (continued)			Concrete issues	Value chains						
				Create	Buy	Manufacture	Transfer	Sell	Use	Discard
Core operation / supply chain	Working Conditions	Disciplinary measures	<ul style="list-style-type: none"> Improper contents of rules of employment may cause improper disciplinary measures and treatments. 	✓	✓	✓	✓	✓		
		During employment During work Diversity	<ul style="list-style-type: none"> Risks of conducting an unequal recruitment and employment that place limits on gender and age Gender and age inequality (discrimination against female workers) in working conditions, training and promotion. Risks of being harassed with little regard for diversity. Sexual minorities may be treated unequally. 	✓	✓	✓	✓	✓		
	Child labour	Minimum age	<ul style="list-style-type: none"> Children under the minimum age may be permitted to work without confirmation of their identification papers, or based on forged papers. 	✓	✓	✓				
	Forced or compulsory labour	Forced overtime	<ul style="list-style-type: none"> Immigrant workers and foreign trainees in Japan may be forced to do overtime work. Workers may be forced to work in labor conditions that they do not agree with, and labor contracts are not shown in a written format. Foreign trainees may be restricted on their liberty, due to deprivation of Certificate of Alien Registration (card), passport, and residence card, and forced deposits. Immigrants and refugees overseas may be forced to work by being taken an advantage of their vulnerabilities. 	✓	✓	✓				
Freedom of association	Freedom of association and collective bargaining	<ul style="list-style-type: none"> Companies may refuse formation of labor unions and collective bargaining without any legitimate reasons, and may give disadvantageous treatment and dismissal to union members. Workers may get fired by reasons of a strike. 	✓	✓	✓	✓				

CAUX ROUND TABLE

Key human rights issues in apparel and textiles sector (continued)			Concrete issues	Value chains						
				Create	Buy	Manufacture	Transfer	Sell	Use	Discard
Community	Resources	Global warming	<ul style="list-style-type: none"> Efficient use of energy and reduction of CO2 emission. (climate change) 	✓	✓	✓	✓	✓	✓	✓
		Water stress	<ul style="list-style-type: none"> Use of a large amount of water in tanneries and dyeing factories, and pollution of rivers by inflows of toxic chemical materials may cause an adverse impact on the local environment and healths of the local residents living around in those affected areas. 		✓	✓				
			<ul style="list-style-type: none"> A large amount of water may be used during production of raw materials such as cotton, cows, and natural rubber. 	✓						
		Protection of bio-diversity	<ul style="list-style-type: none"> Manufacturing wooden products may cause an adverse impact on protection of forest eco-systems. 	✓	✓	✓	✓			
		Depletion of natural resources	<ul style="list-style-type: none"> Depletion of non-renewable natural resources such as oil and gas Innovative and efficient product designs 	✓	✓	✓	✓	✓	✓	✓
		Waste disposal	<ul style="list-style-type: none"> Risks of leaving waste disposals and dumping wastes illegally from not using proper agents. Risks of harming the environment from making less efforts to reduce wastes. 		✓	✓	✓	✓	✓	✓
Consumer	Relations with consumers	Health and Safety	<ul style="list-style-type: none"> Positive impact from changing consumer preferences (e.g. promoting fair trade), and engaging in ethical marketing. 	✓				✓	✓	
			<ul style="list-style-type: none"> Mitigating risks for consumers by enhancing quality and safety of products 	✓	✓	✓	✓	✓	✓	✓
			<ul style="list-style-type: none"> Improvement of traceability of materials and products 	✓	✓	✓	✓	✓	✓	
			<ul style="list-style-type: none"> Insufficient exercises and effects of them. 	✓	✓	✓	✓	✓	✓	

4-9. Food

Key human rights issues in food sector			Concrete issues	Value Chain						
				Create	Buy	Manufacture	Transport	Sell	Use	Discard
Core operation / Supply chain	Workplace conditions	Working hours	<ul style="list-style-type: none"> Long working hours may be a burden at manufacturing factories including those of suppliers and within logistics networks that distribute the goods due to low wages not matching local standards of living, and piece-rate work. 	✓	✓	✓	✓	✓		✓
		Wages	<ul style="list-style-type: none"> Wage levels are lower than local standard of living Proper wages are not paid to workers due to application of piece-rate work Improper low wages in under Technical Intern Training Program 		✓					
		Health and safety	<ul style="list-style-type: none"> Risk of jeopardizing health and safety of employees and workers in production (including supply chain) and R&D processes, due to causes such as mis-handling of chemical substances and agri-chemicals, and inadequate health and safety programs. 	✓	✓	✓				
	<ul style="list-style-type: none"> Accidents during operation of vehicles 			✓	✓	✓	✓		✓	
	Discrimination	Employment	<ul style="list-style-type: none"> Risk of discrimination during the recruitment process, based on race, gender, religion, origins, sexual orientation, disabilities, beliefs in local employment. 	✓	✓	✓	✓	✓		✓

Key human rights issues in food sector (Continued)			Concrete Issues	Value Chain						
				Create	Buy	Manufacture	Transport	Sell	Use	Discard
Core operation / Supply chain	Discrimination	During work	<ul style="list-style-type: none"> • Non-Japanese employees/workers may not properly get access to safety education because of language barriers. • Insufficiency in safety trainings for temporary employees/workers • Temporary employees/workers may suffer from precarious employment. 	✓	✓	✓	✓	✓		✓
		Assessment and Treatment	<ul style="list-style-type: none"> • Risks of discriminatory assessment and treatment based on race, gender, religion, origins, sexual orientation, disability, ethnicity, belief 	✓	✓	✓	✓	✓		✓
	Child labour	—	<ul style="list-style-type: none"> • Child under the minimum labor age may possibly be employed at suppliers of raw materials • There is a risk that children lose the right to education. 		✓					
	Forced or compulsory labour	—	<ul style="list-style-type: none"> • Production is often concentrated in particular time periods, due to seasonality of products in our sectors. Forced overtime work may be observed in the busiest periods. • Risk of forced labour against immigrant workers • Risk that illegal immigrants may receive inhumane treatment. • Exploitation of technical intern trainees and their involvement in dangerous work 		✓					
	Freedom of association and collective bargaining	Conflict with local law	<ul style="list-style-type: none"> • Freedom of association and the rights of collective bargaining under international human rights law may not be fully ensured in countries in which unions are not permitted, or unions are permitted but poorly implemented. 		✓	✓				

Key human rights issues in food sector (Continued)			Concrete Issues	Value Chain						
				Create	Buy	Manufacture	Transport	Sell	Use	Discard
Community	Resources	Use of natural resources	<ul style="list-style-type: none"> • Large-scale commercial agriculture, fishery and forestry at suppliers of raw materials increase risks of decrease in agricultural production and fish hauls of small-scale community operations • Large-scale commercial agriculture and forestry may also adversely impact on access to water for the community and local ecological systems • Culturally / historically / religiously important sites for local communities or indigenous people may be damaged. • A single crop production (change to cash crops) may cause a loss of food self-sufficiency system. • Construction of factories may cause damage on the access right to water of local people living in proximity with them. • Water risks due to climate change 		✓					
	Access to land	Title to land	<ul style="list-style-type: none"> • Titles to the land of local people or indigenous groups may be ignored, especially when constructing factories. 			✓				
			<ul style="list-style-type: none"> • Risk of deprivation of the rights of local people by enclosures of agricultural lands 		✓	✓				
Society and government	Relations with governments	Bribery and corruption	<ul style="list-style-type: none"> • Bribes may be demanded of a company when it expands its business and develops a new store at the stage of obtaining approvals and licenses for land acquisition, and manufacturing. 		✓	✓				

Key human rights issues in food sector (Continued)			Concrete Issues	Value Chain						
				Create	Buy	Manufacture	Transport	Sell	Use	Discard
Consumer	Health and safety	Provision of proper information	<ul style="list-style-type: none"> • Risks to consumer health from inadequate labelling • Incorrect understanding of consumers on food caused by insufficient provision of knowledge on food for consumers 						✓	
		Responsible marketing	<ul style="list-style-type: none"> • Risks of leading consumers (especially young people) to wrong food eating habits due to improper marketing. 						✓	
		Quality control	<ul style="list-style-type: none"> • Risks of harming the health of consumers when quality control is not fully practiced. • Intentional quality obstruction 	✓	✓	✓	✓	✓	✓	
	Privacy Protection	-	<ul style="list-style-type: none"> • Risks of leaking personal information gained through consumer campaigns, mail order sales, and member registration 						✓	

Reference Source for Food and Retail Sector:

Access to Nutrition Index. <http://www.accesstonutrition.org/> (accessed February 25th 2014)

4-10. Paper and Printing

4.10.1. Paper Sector

Key human rights issues in paper sector			Concrete issues	Value chain						
				Create	Buy	Manufacture	Transport	Sell	Use	Discard
Core operation/ Supply chain	Workplace conditions	Health and safety	<ul style="list-style-type: none"> Potential risks in relation to workplace accidents when employees are engaged in logging or operating heavy machinery 		✓	✓	✓			
	Discrimination	During work	<ul style="list-style-type: none"> Workers may be subject to lack of equal opportunity for education, training and promotion due to gender discrimination or/and nationality discrimination 		✓	✓	✓			
Community	Resources	Use of natural resources	<ul style="list-style-type: none"> In term of forest resources, the rights of indigenous people and local communities may not be fully considered. Especially in the case where a company purchases woodchips rather than sawing from company-owned forests, there may be possible risks of the company being involved in human rights violations related to logging. Forest biodiversity may not be fully considered. 		✓	✓	✓			✓
	Access to land	Title to land	<ul style="list-style-type: none"> Lack of formal tenure arrangements, or tenure based on historical use rather than documentation can lead to traditional rights being overlooked. 		✓					

4.10.2 Printing Sector

Key human rights issues in printing sector			Concrete issues	Value chain						
				Create	Buy	Manufacture	Transport	Sell	Use	Discard
Core operation/ Supply chain	Work conditions	Working hours	<ul style="list-style-type: none"> Risks around working long hours in sales and marketing, in the factory, at suppliers and subcontractors. 			✓	✓	✓		
		Health and safety	<ul style="list-style-type: none"> Risks to workers for facing printing press accidents Potential cancer risks caused by using chemical materials in enclosed spaces with inadequate ventilation, and in printing factories. Risks of health hazards and water pollution due to a leak of chemical substances. 			✓				
	Discrimination	During work	<ul style="list-style-type: none"> Foreign workers may be subject to lack of health and safety education due to language barriers. Foreign workers may receive unfair treatment in wages. 			✓	✓			
	Child labour	—	<ul style="list-style-type: none"> There could possibly be child labour within the supply chain (at subcontractors, and Asian factories where products for give-away campaigns are made) 		✓					
	Forced or compulsory labour	Forced overtime work	<ul style="list-style-type: none"> A decrease in printing demand causes a decrease in printing facilities. During the busiest times of the year such as the end of the year, facilities become full of workers. Under this circumstance, there are more risks of overtime work, temporary firing including foreign workers, and firing. 		✓	✓	✓			
		Prison labour	<ul style="list-style-type: none"> Prison labour (known as “<i>keimusagyō</i>” (“prison industry”) in Japanese) may be used and workers may not receive adequate payment (*). However, printing business that use prison labour and offers printing services at half price is emerging. It is expected that printing order from private sectors will decrease. It is necessary for an industry organization and private companies to observe a market movement of prison labor. 		✓	✓				

Key human rights issues in printing sector			Concrete issues	Value chain						
				Create	Buy	Manufacture	Transport	Sell	Use	Discard
Consumer	Relations with customers	Protection and storage of personal data	<ul style="list-style-type: none"> In a changing situation of management system of personal information such as implication of national identification number, there may possibly risks of a leak of personal data that the printing sector dealing with it faces. It is anticipated that a new business model in the printing sector will accelerate a price decline and grow in the market. There may possible risks of delays of dealing with management of personal information and risks of poor checks of printing records by business models placing price priority. 		✓	✓	✓	✓	✓	✓
Community	Natural resources	Use of natural resources	<ul style="list-style-type: none"> There is a need to investigate suppliers for the legitimacy of wood that is raw materials for papers. 		✓					

* The use of prison labour is facilitated by national policy in Japan. This means that the issue is not limited to the printing sector, and could potentially relate to all sectors.

4-11. Consulting and Auditing

4.11.1. Key value chains in Consulting and Auditing sector

Create: research and development, investigation, audit planning

Buy: outsourcing to external cooperating companies, procurement of machine/equipment/raw materials and office space, IT procurement (hardware, software, indirectly procured data center, raw materials, electronic power, fuels, and water), transport services (railroads, taxies, airplanes, hotels), intellectual assets (books and paid reports)

Produce: program planning, proposing, investigative reports, audit planning and preparing

Sell: sales/marketing/consignment (person to person and internet), offering of consulting and auditing services

Use: transport services, event and training space, various online services

Discard: depreciation/amortization

4.11.2. Potential human rights issues in the specified products and services, relevant value chains

Key human rights issues in business operations of one's company in consulting and auditing sector			Concrete issues	Value Chain					
				Create	Buy	Manufacture	Sell	Use	Discard
Core operation/ Supply chain	Workplace conditions	Working hours	<ul style="list-style-type: none"> Risks of exposing employees to excessive work under the name of offering services to clients Work has the self-contained nature. Thus, employees may over-work to complete when doing a work that instructions of companies and supervisors are not involved. 	✓		✓	✓	✓	
		Wages	<ul style="list-style-type: none"> Proper overtime wages to excessive work and long working hours may not be paid. 	✓		✓	✓	✓	
		Health and safety	<ul style="list-style-type: none"> Long working hours and excessive stress due to unique characteristics of work may cause health problems and mental health problems Progression of diseases by non-health check-ups Safety risks when entering and leaving working places of clients Long travelling hours and distances may cause a heavy burden on mental and physical healths and may expose employees to risks of being involved in accidents. 	✓		✓	✓	✓	
	Discrimination	During employment	<ul style="list-style-type: none"> Contract and temporary employees may be hired without being appropriately assessed. 	✓		✓	✓	✓	
		During work	<ul style="list-style-type: none"> Risks of discriminatory treatment in training, assignment, assessment and promotion based on race, gender, sexual orientation, religion, and culture, because a project team consists of multi-national members Female workers may face discriminatory treatment in training, assignment, assessment and promotion after taking maternity leave. Temporary employees may be forced to do a non-contractual work 	✓		✓	✓	✓	
		Redundancy and dismissal	<ul style="list-style-type: none"> Unreasonable pressure aiming for redundancy may be given to temporary employees. 	✓		✓	✓	✓	
Community	Resources	Use of natural resources	<ul style="list-style-type: none"> Risks of using papers made from illegal logging in a business workplace. Electronic power is needed to use IT instruments for business operation 	✓	✓	✓	✓	✓	✓
Society and government	Relations with governments	Bribery and corruption	<ul style="list-style-type: none"> Bribes may be used when making a contract Risks of losing fairness of contents of audits and reports due to bribery. 	✓		✓	✓		

CAUX ROUND TABLE

Key human rights issues in business operations of client companies in consulting and auditing sector			Concrete issues	Value Chain					
				Create	Buy	Manufacture	Sell	Use	Discard
Core operation/ Supply chain	Child Labour	Dangerous work and employment	<ul style="list-style-type: none"> In supply chains of client companies, in the case that the relevant issue is occurring in client companies, providing a service to them may cause deterioration of it indirectly. An inappropriate audit may cause auditing companies to overlook the occurrence of child labour. 	✓	✓	✓	✓	✓	✓
	Forced or compulsory labour	Deposits and papers	<ul style="list-style-type: none"> In supply chains of client companies, in the case that the relevant issue is occurring in client companies, providing a service to them may cause deterioration of it indirectly. An inappropriate audit may cause auditing companies to overlook the occurrence of forced labour. 	✓	✓	✓	✓	✓	✓
Community	Title to land	Voluntary relocation-consultation and compensation	<ul style="list-style-type: none"> In supply chains of client companies, in the case that the relevant issue is occurring in client companies, providing a service to them may cause deterioration of it indirectly. 	✓	✓	✓	✓	✓	✓
Society and government	Relations with governments	Relations to states with poor human rights record	<ul style="list-style-type: none"> Some countries where client companies are operating or companies consider entering markets may have poor understanding of human rights. Investment, sales of goods and services, taxes through providing a service to the client companies in those countries may cause deterioration of human rights abuses. An inappropriate audit may cause auditing companies to overlook the occurrence of child labour. 		✓	✓	✓		