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# **ROLE OF HUMAN RIGHTS ON** **BUSINESS PRACTICE**

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## **ABSTRACT**

Human rights are basic liberties that must be accorded to each person equally and fairly. This is a result of the legal underpinnings of human rights, which are rights that are acquired solely by virtue of being a person. We recognise that businesses have a significant influence on how we live and how we enjoy our human rights, whether we are company owners, workers, customers, or simply ordinary members of society. Therefore, it must be expected of businesses to uphold these liberties. As the first global standard "for preventing and addressing the risk of adverse impacts on human rights linked to business activity," the UN Guiding Principles on Business and Human Rights (UNGPs) were established in 2011. This provided a globally recognised structure and raised internal standards for human rights protection and compliance. As a result, the importance of civil rights has increased and expanded, now also encompassing corporate law companies. In fact, 77% of respondents to a survey by the Business and Human Rights Resource Centre agreed that "law firms should have a policy commitment to human rights and human rights due diligence processes in place" because they are "business enterprises with a responsibility to respect human rights."

Businesses that successfully uphold and enforce human rights naturally increase their brand recognition and contribute to the general welfare of society. Companies are encouraged to implement policies and take an approach that integrates human rights responsibilities into their daily operations by such business benefits. While some businesses may view the protection of human rights as a "box-ticking exercise," more are beginning to take it seriously because any violations could severely harm their interests in terms of money and reputation. Additionally, businesses all over the world are being held more and more responsible for how they treat people with respect in their everyday operations, supply chains, and business dealings. Globally, the body of national laws and standards is expanding, ensuring that businesses are constantly reminded of their responsibilities and urged to adopt beneficial laws to protect

human rights. However, as the private sector comes under more scrutiny and pressure, it also takes steps to safeguard the rights of people who are involved in how their businesses operate.

### **"Human rights issues" – what are they?**

The term "human rights issues" is used to refer to a broad variety of effects that a business, its contractors, its suppliers, or other organisation may have on individuals and their civil rights.

However, they are not confined to:

- Negligence in health and safety, environmental mishaps, and pollution damage to people's health.
- The use of coerced labor, child labor, or worker underpayment
- The establishment of hazardous or unhealthy working circumstances
- The displacement of communities, including indigenous groups, either forcibly or involuntarily
- excessive force by security personnel guarding valuables
- Discrimination against workers based on their ethnicity, gender, or sexual orientation
- The depletion or contamination of water sources used by nearby towns.

### **Why take steps to address issues related to human rights?**

Why do businesses take action to resolve human rights issues? Four key drivers were recognised by interviewees; they are listed here in the order of frequency of mention.

## **1. Regulations and standards**

### Regulatory pressure

A major force encouraging businesses to handle issues of human rights and disclose their operations is increased regulation. For instance, the UK Modern Slavery Act (2015) mandates that businesses with a turnover of £36 million or more and operations in the UK disclose the steps they take to prevent slavery and human trafficking in their operations and supply networks.

### Pressure to conform to international guidelines and standards

Another potent driver of change is the proliferation of international norms and standards, such as the GRI sustainability reporting standards and the UN Guiding Principles on Business and Human Rights (UNGPs). Even though there is generally no legal requirement for them to react, the companies interviewed do not want to be seen as falling short of internationally agreed upon expectations.

## **2. Reputation and relationships**

### Customers

Customers' expectations of their vendors' compliance with human rights policies and show how they are effectively addressing issues related to human rights. Good human rights performance is viewed as a chance to obtain competitive advantage and fortify ties with important stakeholders.

### Media and NGOs

An important motivator is the increased scrutiny from NGOs, activists, and the media, especially for consumer-facing businesses that are undoubtedly most vulnerable to brand erosion and market share loss. However, business-to-business firms also noted that unfavourable publicity could harm vital connections with locals and employees.

### Labor unions

Labor and trade unions are paying more attention to labour rights in particular and to problems relating to human rights in general.

### Media and NGOs

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### Employees

The negative publicity surrounding human rights issues, according to several interviewees, would severely harm the company's relationship with current workers and dissuade prospective new hires from applying.

### Suppliers

Working with suppliers on human rights problems can be a chance to get to know them better. Some businesses claim long-term advantages from assisting their suppliers with labour standards and workplace improvements, such as better collaboration on invention and communication. Human rights approval standards that are more stringent can also be a motivator.

### **3. Investor and lender scrutiny**

Increasing investor and lender monitoring of human rights performance is a key justification for taking action. One business admitted it had suffered significant losses. owing to claims that there was child labour throughout the supply chain. On this subject, long-term owners like pension funds are regarded as being the most activist.

### **4. Company purpose**

Many businesses asserted that addressing problems related to human rights is simply the right thing to do. Failure to do so would be inconsistent with the mission, ethos, and values of the organisation.

## **What do human rights have to do with business?**

People can be impacted by businesses both positively and negatively. Of course, a business can make a good difference. human rights of others, such as by giving workers respectable jobs, giving customers worthwhile services, or funding neighbourhood initiatives. However, you could also have a negative effect on people's human rights, for example, by fostering an unsafe work environment, contaminating the water that nearby communities consume, or offering a dangerous product for sale. When we talk about "business and human rights," we actually mean how businesses handle any possible negative effects on individuals. Of course, businesses can have a long-lasting, significant positive influence by managing these potential negative effects. This means that while charitable work is pleasant to do, managing negative effects on people through business is a must-do. For example, concentrating Managing the well-being of your employees and making sure that your existence does not harm the community where you operate are must-dos, while choosing to make a charitable donation or support a nearby orphanage is a nice-to-do. Human rights are fundamental liberties and rights that everyone is entitled to. They are founded on principles like independence, justice, equality, dignity, and respect. The government may occasionally place restrictions on them, but it will never take them away. International human rights instruments include a list of the different types of human rights businesses. These include the International Covenant on Civil and Political Rights, the Universal Declaration of Human Rights, and others. Rights, the ILO Declaration on Fundamental Principles and Rights at Work, and the International Covenant on Economic, Social, and Cultural Rights. Here, we give some illustrations of human rights.

## **I already follow the rules, and I've asked my business partners to try the same thing; what makes this different?**

You might already be managing some of your human rights threats by adhering to the laws regulating the legal drinking limit, banning Companies can reduce their human rights risks by discriminating against employees and controlling how garbage is disposed of. At the same time, we are aware that following the law is not always simple. For instance, adhering to health and safety regulations may be especially difficult given the dominant culture in a particular operating context. Or it might be difficult to safeguard communities during a large-scale project due to corrupt business practises in the area. Therefore, we cannot assume that our business partners or even our own firm always abides by laws pertaining to human rights.

We also understand that, despite the fact that governments that ratify and execute treaties are required to do so in order to participate in international organizations, Not all governments have been able to uphold the norms they agreed to during the international treaty-making process. For instance, some States have enacted national rules that offer less protection for human rights than do international standards. National laws that have been enacted by some States go against these norms. Take into account, for instance, laws that sanction discrimination based on sexual orientation, gender, or religion; that sanction dangerous child labour; or that limit the freedom of assembly. Because of this, even though your business will aim to adhere to local laws, you should also be conscious that Compliance with the law alone is inadequate. Depending on the specifics and pressing problems affecting your company, merely adhering to the law may not allow you to say with assurance that your company and value chain respect people's human rights.

## **What benefits can human rights effects be addressed of? to the company?**

Over the years, businesses have shared with us that they have experienced a variety of benefits from having policies and procedures in place to enable respect for civil rights. The advantages you experience as a result of this work depend on a variety of different factors, such as how you develop your products, operations, and services; how your business is financed; the types of workers who are involved in your operations and value chain; and the degree to which you rely on land, water, and other natural resources. Human rights considerations assist

organisations with a strong culture in upholding their ideals. Paying attention to human rights enables businesses that want to be resilient and foresee regulatory requirements to be better prepared for the future. Paying attention to human rights can assist businesses as climate change disrupts activities more and more. Consider potential disruptions and make plans appropriately. Businesses that employ a manual workforce often speak of increased productivity that is connected to improved employee wellbeing and happiness. Businesses that are located close to communities or that depend on resources (like water, land, or timber) that are also used by those communities report having better relationships with those communities. Companies seeking reputable investors report having simpler access to funding and investment. Companies reporting an increased chance of joining an international supply chain include those looking for foreign clients. Additionally, there are more cases being filed against businesses for allegedly violating human rights norms. even though your business Even though the company itself may not be sued, one of your business partners may be for effects on your operations. The law in this field is changing quickly.

#### Examples of how business might affect internationally recognised human rights

<b>Applicable fundamental right</b>	<b>Detailed description of the right</b>	<b>Examples of business activities that could have an effect on the right</b>
<b>Right of self-determination.</b>	<ul style="list-style-type: none"> <li>- A peoples' privilege rather than a personal one.</li> <li>- People have the right to choose their own political standing and position in the world.</li> <li>- It involves the freedom to pursue one's own economic, social, and cultural development, to use the natural resources of one's land, and to not have one's means of subsistence taken away from one.</li> </ul>	<ul style="list-style-type: none"> <li>- Engaging in commercial activity on property that has cultural significance to the local populace but was acquired by the government without proper local community input.</li> <li>- Any action that could affect the lands of indigenous peoples, whether through acquisition,</li> </ul>

	<ul style="list-style-type: none"> <li>- Indigenous peoples have a unique right to self-determination, which has been explicitly recognised by the international community.</li> </ul>	<p>building, or operation, could have an effect on their right to self-determination.</p>
<p><b>Right to life</b></p>	<ul style="list-style-type: none"> <li>• Right not to be deprived of life arbitrarily or unlawfully.</li> <li>• Right to have one’s life protected, for example, from physical attacks or health and safety risks.</li> </ul>	<ul style="list-style-type: none"> <li>• The lethal use of force by security forces (State or private) to protect company resources, facilities or personnel.</li> <li>• Operations that pose life-threatening safety risks to workers or neighbouring communities through, for example, exposure to toxic chemicals.</li> <li>• The manufacture and sale of products with lethal flaws.</li> </ul>
<p><b>Right not to be subjected to torture, cruel, inhuman and/or degrading treatment or punishment.</b></p>	<ul style="list-style-type: none"> <li>- An unqualified privilege that holds true in all situations.</li> <li>- According to some definitions, torture entails extremely severe pain or suffering that is purposefully administered.</li> <li>- Treatment that is cruel or inhumane also results in terrible pain.</li> <li>- According to some definitions, degrading treatment involves</li> </ul>	<p>-Operating a business in a nation where the police or state security forces responsible for safeguarding the assets of the company do not uphold this right.</p> <p>-The failure to promote an environment free from severe forms of harassment that result in significant</p>

	<p>severely humiliating the sufferer.</p>	<p>mental anguish.</p> <p>-Making and selling machinery that has been improperly used by others for torture, cruel treatment, or without their permission, medical or scientific experimentation.</p>
<p><b>Right not to be subjected to slavery, servitude or forced labour</b></p>	<p>When one person essentially owns another, that is slavery.</p> <p>Other severe forms of economic exploitation or degradation, such as the trafficking of employees or financial bondage, are covered by the right to be free from servitude.</p> <p>Absolute rights include the liberation from slavery and servitude.</p> <p>The ILO defines forced or compulsory labour as any work or service that is demanded of a person against their will and for which they have not freely offered themselves.</p> <p>Even if payment is made, labour is still considered forced labour if the other criteria are satisfied.</p>	<p>Businesses may unwittingly profit from the labour of workers who have been trafficked and are forced to work as slaves, for instance on agricultural plantations, through their supply chains. In such circumstances, women and children may experience especially negative effects.</p> <p>A business may be engaged in the transportation of persons or goods that aids in human trafficking.</p> <p>Any industry in which an employer places workers in a state of debt bondage through the payment of fees to secure employment or business loans, or in which an employer withholds workers' identity documents, is susceptible to forced labour. As a</p>

		recognised vulnerable group, migrant labourers are particularly at risk in this situation.
<b>Right not to be subjected to imprisonment for inability to fulfil a contract</b>	<p>When a person is unable to fulfil a private contractual obligation, they are entitled to this privilege.</p> <p>It limits the kinds of penalties the state may apply.</p>	When a small local supplier is truly unable to fulfil their contractual duties and the company takes action against them, for example, there may be a connection between companies and such an effect even though this right is not protected by the State.
<b>Right to recognition as a person before the law</b>	Legal personality, or autonomous legal recognition, is a right for everyone.	Companies may be responsible for such an effect, for instance, if they gain from a State-led land acquisition process that compensates only male household heads because married women's property is regarded as their spouses' property under domestic law.
<b>Right to work</b>	<p>People have a right to the ability to support themselves through employment that they voluntarily choose or embrace. The job must respect their human rights and be considered "decent work."</p> <p>The right includes the ability to form and join a union, the right to just and</p>	<p>Even if permitted by state law, firing a worker arbitrarily or unfairly. preventing or failing to fulfil workers' legitimate aspirations for job advancement.</p>

	advantageous working circumstances, and the prohibition of arbitrary dismissal, all of which are covered below.	
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## **Impact and Implications**

Despite the complexity of the problem, an increasing number of groups keep moving the agenda forward. More and more international organisations are creating human rights policies that outline both their dedication to upholding human rights and how this commitment will be carried out in reality. Initiatives involving collaboration between businesses and government agencies are also progressing. The Human Rights and Labour Working Group (HRLWG), a group of experts made up of members from business, civil society, and UN agencies, is an appropriate example. The HRLWG was established to offer direction and support on the implementation of the human rights and labour principles of the UN Global Compact. The Global Business Initiative on Human Rights, a non-profit organisation led by a core group of 18 corporations from various industries, stands out among other business-driven initiatives as being particularly intriguing. Its goal is to advance human rights in a business context through cross-industry peer learning, outreach and capacity building, and by influencing policy.

## **CONCLUSION**

In accordance with international human rights legislation, states are required to take measures to prevent third parties, including commercial enterprises, from violating human rights on their soil and/or under their jurisdiction. All business enterprises are expected to respect human rights, which means they should refrain from violating the rights of others and should resolve any negative effects on those rights that they may be responsible for, even if States do not uphold their obligations to do so. Victims of maltreatment must have access to efficient redress through legal and extralegal grievance procedures if they are wronged.

As a result, the relationship between corporate law firms, governments, and businesses is very essential. Businesses and the legal firms that counsel them must incorporate international law and norms supporting human rights into their domestic policies. For corporate and business law companies, the significance of human rights has legal and ethical ramifications.