

Reference Material on Practical Approaches for Business Enterprises to Respect Human Rights in Responsible Supply Chains

(Attachment 1) Reference Documents

This document is a provisional English translation of Reference Material on Practical Approaches for Business Enterprises to Respect Human Rights in Responsible Supply Chains (Attachment 1) Reference Documents (“the Reference Documents”). The Reference Documents in Japanese are the original, and the English translation is for information only. If there is any discrepancy between the Japanese original and this English translation, the Japanese will prevail.

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(a) Human rights issues by sector

This document provides a provisional translation of “Human Rights Issues by Sector” in “the UNEP FI Human Rights Guidance Tool for the Financial Sector” (revised in 2017)^{1,2}, which categorizes adverse human rights impacts for the various sectors listed below.

[Human Rights Issues by Sector]

- Agriculture & Fisheries
- Chemicals & Pharmaceuticals
- Forestry & Logging
- General Manufacturing
- Infrastructure
- Mining & Metals
- Oil & Gas
- Power Generation
- Services
- Utilities & Waste Management

While it is assumed that this tool will be used by financial institutions, for example, when providing financing, it is also likely to be useful to business enterprises other than financial institutions when identifying adverse human rights impacts in their operations.

Note that since business enterprises’ operations or the supply chains of their products/services may involve different sectors, it is important for business enterprises to take a broad view of potentially related sectors when identifying the types of adverse human rights impacts raised ³.

As this document provides a provisional Japanese translation of the UNEP FI Human Rights Guidance Tool for the Financial Sector, the part of such translation is omitted in this provisional translation. Please see UNEP FI’s website through the link provided in footnote 1.

¹ <https://www.unepfi.org/humanrightstoolkit/agriculture.php>

² “Relevant voluntary and trade initiatives” is omitted.

³ For example, to list a wide range of potentially related sectors, this document states under 4 General Manufacturing: of “For further information on raw materials and their initial processing, see [Metals and Mining](#), [Oil and Gas](#), [Agriculture and Fisheries](#), and [Forestry and Logging](#).”

(b) Human rights issues by product (forced labour, child labour)

This document was prepared by extracting examples of products that may have involved forced or child labour, as reported in various reports and websites published by international organizations.⁴

It should be noted that the table below is not a comprehensive list of products reported by international organizations. It does not imply that other products are free from the risk of forced or child labour. In addition, since the human rights situation is constantly changing, it is important to check regularly for the latest information.

Examples of products that may have involved forced or child labour, as reported by international organizations

	Examples of reported products that may have involved child labour	Examples of reported products that may have involved forced labour
Agricultural produce	Cocoa, Coffee, Tea, Sunflowers, Flowers, Palm, Spices (Cloves, Vanilla), Wheat, Rice, Corn, Bananas, Melons, Citrus, Fruits, Blueberries, Grapes, Cassava, Potatoes, Cashews, Hazelnuts, Brazil Nuts, Chestnuts, Beans, Olives, Sugarcane, Tobacco, Poppies, Khat, Cabbages, Cucumbers, Onions, Tomatoes, Garlic, Broccoli, Lettuce	Coffee, Tea, Palm, Bananas, Strawberries, Citrus Fruits, Brazil Nuts, Sugarcane, Tobacco, Tomatoes, Rice, Corn, Pepper
Livestock products/Seafood	Shrimp, Fish, Cattle, Hogs, Poultry, Sheep, Goats	Shrimp, Fish, Shellfish, Cattle, Sheep, Goats
Apparel/Fabric products	Cotton, Sisal, Silk Cocoons, Textiles, Garments, Footwear, Carpets, Thread/Yarn	Cotton, Textiles, Garments, Footwear, Carpets
Minerals	Tin, Tantalum, Tungsten, Cobalt, Gold, Silver, Copper, Mica, Iron, Sapphires, Diamonds, Tanzanite, Trona, Zinc, Coal, Sand, Jade, Granite, Fluorspar, Gypsum	Tin, Gold, Silver, Sapphires, Jade
Miscellaneous goods/Other	Pornography, Leather Goods, Fireworks, Electronics, Soccer Balls, Bricks, Ceramics, Furniture, Incense, Matches, Salt, Charcoal, Surgical Instruments, Rubber	Timber, Electronics, Rubber Gloves, Bricks, Rubber

⁴ The information is based on published ILO, UNICEF, and OHCHR materials.

(c) Human rights issues by region (child labour)

As examples of reference materials for “local risks” The Guidelines list: (1) “Ending child labour, forced labour and human trafficking in global supply chains” (prepared by ILO et al.); (2) “Children’s Rights and Business Atlas” (prepared by UNICEF et al.); and (3) a list of countries and regions (prepared by OHCHR).

From each of the above documents (1) to (3), this document, as an example, provides a tabulation of the “Children’s Rights in the Workplace Index,” one of three indexes provided by (2) “Children’s Rights and Business Atlas.”⁵ The index measures the extent to which countries eliminate child labour and provide decent work for young workers, parents and caregivers.

The information needed to understand the Index is excerpted from the “Children’s Rights and Business Atlas” and provided below.

Due Diligence Categories

Heightened (Very high level)	<p>Where there is a very high level of risk that the business will cause or contribute to adverse impacts on children’s rights and where the impact is very severe and very likely to occur.</p> <p>Under these circumstances, enhanced mitigation efforts may not suffice, and companies should be as proactive as possible in efforts to prevent and mitigate adverse impacts from occurring, and remediate ongoing impacts. (Index score: 6.6 to 10)</p>
Enhanced (High level)	<p>Where there is a high risk that the business will cause or contribute to adverse impacts on children’s rights and where the impact is significantly severe and/or is significantly likely to materialize.</p> <p>Companies should assess their impacts to determine whether operational or sub-national context requires elevated due diligence. (Index score: 3.3 to 6.6)</p>
Basic (Normal level)	<p>Where there is a risk that the business will cause or contribute to adverse impacts on children’s rights, but the impact may not be severe and/or the risk may be unlikely to materialise.</p> <p>Although the severity level may be low, the company should still undertake periodic review of its impacts to account for changing circumstances. (Index score: 0 to 3.3)</p>

Scores are calculated on a scale from 0 to 10. Lower scores (closer to 0) reflect the need for business to undertake more basic levels of due diligence and operating contexts with better existing fulfilment of children’s rights, while higher scores (closer to 10) reflect the need to business to undertake more heightened levels of due diligence and operating contexts with higher levels of concern regarding children’s rights.

⁵ The “Children’s Rights and Business Atlas” also includes the “Children’s Rights in the Marketplace Index” and the “Children’s Rights in the Community and Environment Index,” and can be found at (<https://www.childrensrighsatlas.org/country-data/workplace/>).

Children's Rights in the Workplace Index⁶

#	国名	Index スコア	#	国名	Index スコア	#	国名	Index スコア	#	国名	Index スコア
1	Somalia	9.1	51	Liberia	5.5	101	Guyana	4.2	151	Belarus	3.1
2	Libya	8.2	52	Micronesia	5.5	102	Kuwait	4.2	152	Panama	3.1
3	Guinea-Bissau	7.6	53	Nepal	5.5	103	Peru	4.2	153	Russia	3.1
4	Central African Republic	7.3	54	Timor-Leste	5.5	104	Antigua and Barbuda	4.1	154	Czech Republic	3
5	Equatorial Guinea	7.3	55	Namibia	5.4	105	Argentina	4.1	155	Romania	3
6	Papua New Guinea	7.3	56	Djibouti	5.3	106	Kyrgyzstan	4.1	156	Mauritius	2.9
7	Eritrea	7.2	57	Honduras	5.3	107	Sao Tome and Principe	4.1	157	South Korea	2.9
8	Niger	7.2	58	Iraq	5.3	108	Turkmenistan	4.1	158	Dominica	2.8
9	South Sudan	7.1	59	Laos	5.3	109	Colombia	4	159	Saint Vincent and The Grenadines	2.8
10	Yemen	7.1	60	Malawi	5.3	110	El Salvador	4	160	Liechtenstein	2.7
11	Chad	6.9	61	Nauru	5.3	111	Kiribati	4	161	Macedonia	2.7
12	Angola	6.6	62	Oman	5.3	112	Qatar	4	162	Malta	2.7
13	Palau	6.6	63	Senegal	5.2	113	Saint Lucia	4	163	Switzerland	2.7
14	Zambia	6.6	64	Syria	5.2	114	Trinidad and Tobago	4	164	Portugal	2.6
15	Guinea	6.5	65	Uganda	5.2	115	Algeria	3.9	165	Chile	2.5
16	North Korea	6.5	66	Bahrain	5.1	116	Armenia	3.9	166	Ireland	2.5
17	Cambodia	6.4	67	Mauritania	5.1	117	Belize	3.8	167	Israel	2.5
18	Congo	6.4	68	Mozambique	5.1	118	Singapore	3.8	168	Japan	2.5
19	Myanmar	6.4	69	Nicaragua	5.1	119	Tajikistan	3.8	169	Latvia	2.5
20	Pakistan	6.4	70	Togo	5.1	120	Thailand	3.8	170	New Zealand	2.5
21	Burundi	6.3	71	Bolivia	5	121	Brazil	3.7	171	Hungary	2.4
22	DR Congo	6.3	72	Iran	5	122	Lebanon	3.7	172	Italy	2.4
23	Gambia	6.3	73	Guatemala	4.9	123	Tunisia	3.7	173	Netherlands	2.4
24	Sierra Leone	6.3	74	India	4.9	124	Turkey	3.7	174	Poland	2.4
25	Afghanistan	6.2	75	Indonesia	4.9	125	Albania	3.6	175	Australia	2.3
26	Cameroon	6.2	76	Lesotho	4.9	126	Azerbaijan	3.6	176	Austria	2.3
27	Mali	6.2	77	Marshall Islands	4.9	127	Jordan	3.6	177	Belgium	2.3
28	Sudan	6.2	78	Paraguay	4.9	128	Kazakhstan	3.6	178	Germany	2.3
29	Côte d'Ivoire	6.1	79	Fiji	4.8	129	Morocco	3.6	179	Spain	2.3
30	Maldives	6	80	Rwanda	4.7	130	San Marino	3.6	180	Croatia	2.2
31	Nigeria	6	81	Malaysia	4.6	131	South Africa	3.6	181	Monaco	2.2
32	Bangladesh	5.9	82	Mexico	4.6	132	Sri Lanka	3.6	182	Norway	2.2
33	Madagascar	5.9	83	Uzbekistan	4.6	133	Barbados	3.5	183	Slovakia	2.2
34	Solomon Islands	5.9	84	Dominican Republic	4.5	134	Bosnia and Herzegovina	3.5	184	United Kingdom	2.2
35	Zimbabwe	5.9	85	Egypt	4.5	135	Ecuador	3.5	185	Estonia	2
36	Haiti	5.8	86	Gabon	4.5	136	Georgia	3.5	186	Grenada	2
37	Suriname	5.8	87	Ghana	4.5	137	Greece	3.5	187	Lithuania	2
38	Benin	5.7	88	Kosovo	4.5	138	Moldova	3.5	188	Luxembourg	2
39	Burkina Faso	5.7	89	Philippines	4.5	139	Uruguay	3.5	189	Slovenia	2
40	Comoros	5.7	90	State of Palestine	4.5	140	Bulgaria	3.4	190	Andorra	1.9
41	Swaziland	5.7	91	Bhutan	4.4	141	Mongolia	3.4	191	Finland	1.9
42	Tanzania	5.7	92	Jamaica	4.4	142	Serbia	3.4	192	Iceland	1.7
43	Tonga	5.7	93	Samoa	4.4	143	Seychelles	3.4	193	Sweden	1.7
44	United Arab Emirates	5.7	94	Saudi Arabia	4.4	144	Ukraine	3.4	194	Denmark	1.5
45	China	5.6	95	United States	4.4	145	Bahamas	3.3	195	France	1.1
46	Kenya	5.6	96	Cabo Verde	4.3	146	Canada	3.3			
47	Tuvalu	5.6	97	Saint Kitts and Nevis	4.3	147	Costa Rica	3.3			
48	Vanuatu	5.6	98	Venezuela	4.3	148	Cuba	3.2			
	Vietnam	5.6	99	Botswana	4.2	149	Cyprus	3.2			
50	Ethiopia	5.5	100	Brunei	4.2	150	Montenegro	3.2			

⁶ This is a tabulation of the information available at the time the Reference Documents were prepared.

(d) Examples of adverse human rights impacts

The table below provides **examples of adverse human rights impacts** mentioned in the Guidelines.⁷ Note that the following are only examples of the various adverse human rights impacts, and the adverse human rights impacts that business enterprises are required to address are not limited to those listed in the table below.

It is important to identify and assess adverse human rights impacts by referring to (a) to (c) of the Reference Documents and other materials, and by exchanging opinions with relevant internal departments and external experts.

	Adverse human rights impacts	Examples ⁸
1	Forced labour	<ul style="list-style-type: none"> • Community members and others are forced to work in the factory owned by the company's overseas-based business partner • Workers are forced to work against their will by assault, threats, etc.
2	Child labour⁹	<ul style="list-style-type: none"> • Children under the age of 15 are employed at a business partner's overseas factory or raw material supplier's farm, etc.
3	Infringement of freedom of association and the right to collective bargaining	<ul style="list-style-type: none"> • A company makes non-union membership in a union a condition of employment for job applicants. • A company repeatedly requests the postponement of the date for collective bargaining just before the agreed-upon date, although the company has accepted the union's request for collective bargaining, and ultimately, collective bargaining is not carried out
4	Discrimination in employment and occupation	<ul style="list-style-type: none"> • A company does not allow non-regular employees to work at home only because of their irregular employment
5	Infringement of a safe and healthy work environment	<ul style="list-style-type: none"> • Failure to take necessary measures for occupational safety and health, such as the possibility of injury or health impairment while at work
6	Infringement of freedom of residence	<ul style="list-style-type: none"> • Business activities of a business enterprise compelling eviction of community members without their consent

⁷ In addition to the internationally recognized human rights specifically listed in the Guidelines 2.1.2.1, this section lists some adverse human rights impacts drawn from those mentioned in the Guidelines.

⁸ It should be noted that stakeholders who may be subject to adverse human rights impacts are not limited to employees; for example, it is natural that nearby residents, indigenous peoples, human rights defenders, and consumers may also be subject to such adverse impacts.

⁹ Child labour refers to work by children under the minimum age to work. The specific minimum age to work is stipulated in national legislation; however, the ILO's "Minimum Age Convention" (No. 138) stipulates that the minimum age shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years, excluding specific exceptions. In addition, the ILO's "Worst Forms of Child Labour Convention" (No. 182) prohibits the "worst forms of child labour" by persons under the age of 18 (including work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children).

7	Discrimination on the ground of race, disability, religion, social origin, sex, or gender	<ul style="list-style-type: none"> • Discrimination in hiring, promotion, and retirement on the grounds of race, disability, religion, social origin, sex, or gender • Discrimination in wages and other treatment on the ground of race, disability, religion, social origin, sex, or gender
8	Infringement of the rights of indigenous peoples and community residents	<ul style="list-style-type: none"> • Water resources are contaminated by the activities of a business enterprise, making it difficult for community members to obtain clean drinking water
9	Excessive/unreasonable working hours	<ul style="list-style-type: none"> • A company's work continues beyond legal working hours due to labour shortages and other factors, depriving employees of legal rest breaks, and also resulting in extreme overtime • A business enterprise changed its order just before the delivery date and demanded delivery from its supplier on what it knew to be an unfeasible lead time. As a result, the supplier's employees were forced to work extreme overtime.
10	Unpaid wages	<ul style="list-style-type: none"> • Set wages that do not meet the minimum wage standards of the region in which the business operates.

*In addition to the above, there are various other adverse human rights impacts, for example, inhumane treatment, infringement of privacy rights, etc. It is important for business enterprises to identify and assess adverse human rights impacts other than those mentioned above in accordance with their own circumstances, etc., when utilizing “(Attachment 2) Worksheet templates for identification and assessment of adverse impacts.”