



## The CEO Water Mandate

# Guide to Aligning Business Practice With the Human Right to Water and Sanitation

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# History of the human rights workstream

## Q1-Q2 2009:

- Established Human Rights Working Group to further discuss and inform the Mandate's work on this issue
- Released a discussion paper on what it means to adhere to Ruggie's "corporate responsibility to respect" principle in the context of water.

## Q1-Q2 2010:

- Conducted endorser survey of company perspectives and practices regarding the human right to water

## November 2010:

- Released the white paper *The Human Right to Water: Emerging Corporate Practice and Stakeholder Expectations*.
- At working conference in Cape Town, endorsers and the Secretariat agreed to develop a guidance document on the topic.

## Q3 2011:

- Drafted preliminary annotated outline for Guide to be reviewed by endorsers and stakeholders at World Water Week in Stockholm.

# Degrees of corporate action

Previous research has suggested three spheres of action and provided some initial ideas of what might fall under those categories.

## Abuse

- Immediate harm from corporate activities
- Complicit in actions that infringe on rights
- Block stakeholder participation

## Ruggie Compliance

- Due diligence / “Respect”
- Proactively assess and manage impacts
- Transparency

## Beyond responsibility

- Community projects
- Policy engagement
- Advocacy



# UPCOMING PROJECT: Guide to Aligning Business Practice with the Human Right to Water and Sanitation

## Core objectives

1. To lay out background information and context for the human right to water and sanitation as it relates to business
2. To offer an operational framework for applying business human rights principles to water, and
3. To provide insights and case examples regarding practical measures businesses can adopt to ensure their operations both respect and in relevant cases fulfill the human right water and sanitation.

## Partner

The project will be conducted in collaboration with OxfamAmerica. It will be overseen by the Mandate's Human Rights Working Group.



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# UPCOMING PROJECT: Guide to Aligning Business Practice with the Human Right to Water and Sanitation

## Workstreams:

- 1) Respecting the right to water; Applying human rights due diligence
- 2) Dos and Don'ts; Good practice case examples

## Phases of Work

- 1) Scoping and Analysis
- 2) Consultation on Preliminary Findings and Path Forward
- 3) Development of Proposed Operational Guidance



# Governance: Guide to Aligning Business Practice with the Human Right to Water and Sanitation

## **The Wider Public**

*Communities, Employees, Investors, Non-CEO H<sub>2</sub>O Mandate Companies, Public*

## **Technical Expert Group (TEG)**

## **Mandate Water Disclosure Working Group (WDWG)**

*Various Endorsing Companies*

## **Core Team (CT)**

*Pacific Institute, Oxfam America UNGC*



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# Human rights guide: Overarching structure

- Introduction
- Section 1: Contextualizing the Human Right to Water and Sanitation and Expectations of Business
- Section 2: Operational Dimensions for Respecting the Human Right to Water and Sanitation
- Section 3: Fulfilling the Right to Water and Sanitation
- Section 4: Guidance on Other Core Challenges
- Conclusion



# Introduction

## Objective:

To give a brief overview of the major work areas of the UN CEO Water Mandate, focusing on the business, water, and human rights workstream.

To map the evolution of the global development challenge and the Mandate's work in the area to date

To outline the scope and objectives for this best practice guide





# Section 1: Contextualizing the Human Right to Water and Sanitation and Expectations of Business

## Objective:

- To lay out the progression of recognition of the human right to water and sanitation in the realm of other rights
- To lay out the expectations for businesses to act in alignment

## Section will include:

- Key concepts, definitions and findings from international norms
- Overview of Ruggie’s “protect, respect, remedy” framework
- Description of the relationship between the right to water and sanitation and its relationship with other rights



# Section 2: Operational Dimensions for Respecting the Human Right to Water and Sanitation

## Objective:

To apply Ruggie's Framework specifically to water, sanitation, and business and to utilize key findings from the UN Independent Expert on Water

## Section will include:

- An overview of trends in national legislation and baseline practices
- Measures and mechanisms for operationalizing Ruggie's framework
- Criteria and/or principles for determining abuses to the HRW&S
- Processes to enable remediation of adverse impacts
- Case examples



# Section 3: Fulfilling the Right to Water and Sanitation

## Objective:

To describe conditions for when it may be appropriate for companies to go beyond “respect” towards “fulfilling” the right to water and sanitation

To provide examples of company efforts to go beyond respect

To provide insights on the “do’s and don’ts” in moving towards fulfilling

## Section will include:

- An understanding of principles for fulfillment
- An examination of how corporate practice can benefit both communities and companies
- Discussion of potential challenges



# Section 4: Guidance on Other Core Challenges

## Objective:

To identify other challenges and tensions in attempting to implement the right to water and sanitation

To describe strategies for addressing other challenges.

## Challenges to be discussed include:

- Establishment of responsibility boundaries for companies
- Working in conflict or weak governance areas
- Working in an area with the absence of established expectations
- Unique issues relating to the right to sanitation
- Tensions in respecting other rights and expectations



# Conclusion

A recap of the main lessons and principles that are essential for good practice

Understanding the long term business benefits of good practice on the human right to water and sanitation



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