

CONTENTS

Business and Human Rights, and World Cup

- IWATSUKI Yuka (President of ACE) 1

A crucial matter: mainstreaming gender into all the population programmes

- HORIUCHI Mitsuko (President of KFAW) 5



Business and Human Rights, and World Cup

- IWATSUKI Yuka (President of ACE)

Hello everyone, my name is Yuka IWATSUKI, President of ACE. Due to COVID-19 pandemic, international conferences have switched to online, thus I have not been to an actual conference venue for a while. But finally at the end of November 2022, I participated the first day of the “UN Forum on the Business and Human Rights” held at the European Headquarters of the United Nations in Geneva. Today, I would like to write a piece for this newsletter based on that story.

I know that not many people are familiar with the term “business and human rights,” so let me explain a little about it. In the 1990s, as the economy became increasingly globalized, the impact of corporate business on society (e.g., environmental destruction) became an issue, and

the social responsibility of corporations came to be questioned. In a situation where the sales of one global company were larger than the budget of a country, CSR (Corporate Social Responsibility) discussions and autonomous initiatives such as the “United Nations Global Compact” were initiated, while there was a movement toward an international convention, which did not materialize. In the midst of this situation, a “new norm” different from a convention, one that not only regulates or restricts behavior, but also enables and promotes specific actions, was aimed for, and the result is “UN Guiding Principles on Business and Human Rights.” It was compiled by the professor John Ruggie, who was appointed by UN Secretary-General Kofi Annan as his Special Representative on this matter.

So what is “UN Guiding Principles on Business and Human Rights”?

There are three pillars.

1. States have duty to protect human rights.
2. Businesses have a responsibility to respect human rights.
3. Access to Remedy

The first pillar may sound something that has been taken for granted, but it is expected that the government will create a national action plan on how to fulfill this obligation. In addition, “States should set out a clear expectation” on how companies should be responsible to respect human rights. The clearest expectation can be the law. In response to this, some countries have already created and implemented laws that impose new obligations on corporations regarding human rights.

The second pillar, corporate “responsibility,” is significant because it is clearly stated and because it indicates that the responsibility of corporations to “respect human rights” extends not only to those they directly employ, but also to their business partners and to the places where they do business. And to prevent human rights violations from occurring in a company's business, it promotes human rights due diligence (identifying and avoiding the risk of human rights violations) and the capability of receiving complaints when the violation does occur.

The third pillar is to ensure that victims of human rights violations have easy access to mechanisms to help them obtain effective remedies. easy access to mechanisms to assist them in obtaining effective remedies.

The UN Business and Human Rights Forum, organized by the UN Working Group on Business and Human Rights, is held once a year to share countries’ progress and experiences and to discuss how to implement the “Guiding Principles for Business and Human Rights.” This time I participated for one day at the venue at the European headquarters of the United Nations. The conference consists of three plenary sessions and 24 individual sessions over the course of three days.

By the way, there is a monument of a chair with one broken leg like this in front of the European Union headquarters in Geneva, Switzerland, where this event will be held. It is said that this shape was originally created to symbolize the victims of landmines, but it is placed in front of the UN in order to condemn the damage caused by war to civilians. The war, which I never thought would happen, has occurred in Ukraine, and there are still people living in war zones who have suffered civilian casualties and have been cut off from electricity and other infrastructures. When I think of how limited the United Nations is in what it can do to help them, this monument seems even sadder to me now.



Monument of a chair with one broken leg in front of the UN headquarters

This time, since the inside of the UN was under renovation, we registered as participants at a location outside the UN, picked up our passes, and entered the building where the conference was being held from the side of the main entrance. As my flight was delayed and I was late for the main session, I was told that there were no more seats available in the main conference room. The ceiling of the room where this plenary session is being held looks like this. This is the second time I have come to this venue to participate in the conference, and I was struck by the beauty and mysterious look of the ceiling.



A view of the main conference hall

Of course, I was not only looking at the ceiling. This forum has a main concept each year and it was “Rights holders at the centre: Strengthening accountability to advance business respect for people and planet in the next decade.” The Business and Human Rights Working Group has just reviewed the 10 years since 2011, when the Guiding Principles for Business and Human Rights were created, and announced its roadmap for the next 10 years to 2021, in which the third pillar, access to remedy, is the gap between ideal and reality, and the voices of those whose rights

have been violated are considered to be the biggest.

For example, indigenous peoples are standing up and speaking out against corporate business in order to protect their lands from development or to protect the environment from corporate destruction. However, it is also a fact that these so-called Human Rights Defenders are being sued by corporations (SLAP lawsuits) or losing their lives, and there are movements around the world to suppress the voices of those who raise their voices for the protection of human rights. It is against this backdrop, far from remedying human rights violations, that this forum is being held. This time, too, representatives of South American indigenous peoples in colorful ethnic costumes took the stage to speak, and we must ensure that those who raise their voices are properly protected.

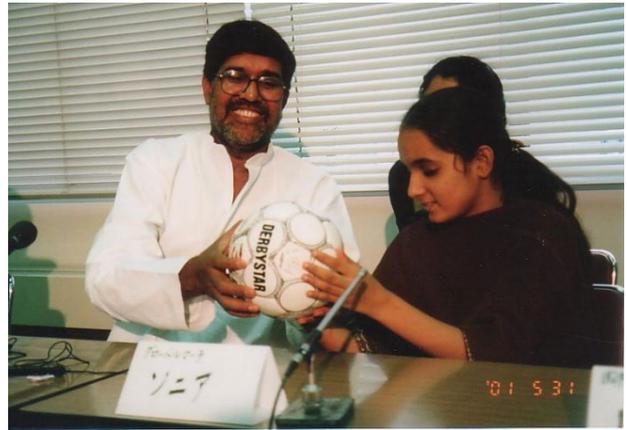
Another trend that has been attracting attention over the past few years is the trend for governments to make “human rights due diligence” mandatory by law. As legislation is being enacted in the EU, its progress is the focus of worldwide attention due to its impact. A member of the EU parliament was also present to discuss the status and focus of their consideration. While one might think that companies would be opposed to such a move, surprisingly, some individual companies are in favor of it. This is because in order to create a level playing field, it is better to have laws that all companies must follow in the same way. Currently, there are companies that are doing their best to prevent child labor at a cost, while there are companies that are profiting from child labor in their supply chains, but cannot be blamed for it.

From the Japanese government, which has made progress by formulating a national action plan and announcing guidelines for corporate human rights due diligence, Special Advisor to the Prime Minister Mr. Nakatani was on site to attend the conference and deliver a speech. Expectations are high for the next steps to see if the Japanese government will consider legislation in response to the global trend.

The reason why I am keen on following the discussion on “Guiding Principles for Business and Human Rights” is because they are closely related to child labour, which I am working on at ACE.

One of the turning points in my work on the issue of child labour was actually the World Cup: in May 2001, a year before the 2002 World Cup in Japan and Korea, a girl who were sewing soccer balls came to Japan from India. At that time, soccer balls were sewn by hand, and some of them were worked by women and children at home in India and Pakistan. Sonia was one of the girls who sewed soccer balls in such a way.

The reason for her visit to Japan was to hold a press conference to launch the “World Cup Campaign: Kick Child Labour Out of the World!” She said at the press conference, “Please use soccer balls made by adults with fair wages. Children should go to school. Please help us to do so.”



Sonia and Kailash Satyarthi, founder of the Global March Against Child Labour, at a press conference in Tokyo in 2001.

After meeting her, I realized that “child labor should not be dismissed as a problem of poor children in developing countries. It is also a problem of our own consumer countries that use such products without knowing it.” For instance, cacao, the raw material for chocolate, cotton for T-shirts, etc., can be traced back to the children who work in the fields. We, as NGOs, can work in these communities to promote the elimination of child labour. However, we cannot change the business model which is based on child labour. It is the companies themselves that can change their business model. In order to encourage companies to seriously address human rights issues in their supply chains, such as child labour, governments should create laws that require human rights due diligence, which would promote prevention and elimination of child labour, even down to the production sites of raw materials that are connected in the global economy.

This World Cup in Qatar also had an issue for migrant workers on construction sites of the stadium. Workers who lost their lives or were injured while working in unsafe conditions had their rights violated. The Business and Human

Rights concept calls on companies and governments to take responsibility for the processes by which these things are made.

Japan is a major consumer nation. In this light, we have a great responsibility. That is why the international NGOs expect Japanese government to do more, and the Japanese government can make a global impact by creating rules that companies are eager to follow.

I hope this article on “Business and Human Rights,” including my experience at the European Headquarters of the United Nations, has made you feel a little closer to the topic. Japan still has a long way to go, but I would like to continue to send encouragement from civil society to both the government and corporations to promote their efforts. Please keep your eyes on this together.

[Profile]

Ms. IWATSUKI Yuka, co-founder and president of the Action against Child Exploitation (ACE), one of the most active civil society organization in Japan to fight against child labour. She has been tirelessly working for protecting the rights of children, focusing on elimination of child labour. In 2004, ACE established the Stop Child Labour Network Japan, and engaged in advocacy activities including speaking at the global conferences on the elimination of child labour. In the occasion of 2019 Osaka G20 Summit, she chaired the C20, a group of civil society organizations as one of the engagement group to G20, and handed over their

recommendations to then Prime Minister Abe, fulfilling her role. ACE is now promoting practical efforts to eliminate child labour in India and Ghana by implementing community-based child labour elimination programs and supporting “Child Labour Free Zone-system” initiative in Ghana. She acts as Secretariat for the Campaign for the Convention on the Rights of the Child in Japan, which was launched in 2019. This campaign made policy recommendation to realize the enactment of the Basic Act on Children's Rights.



A crucial matter: mainstreaming gender into all the population programmes

- HORIUCHI Mitsuko (President of KFAW)

World's population has grown rapidly since the Industrial Revolution and continues to grow,

albeit at a slower pace. According to the latest UN projections, the world population reached 8

billion on 15 November 2022.

After that, according to the UN medium scenario, the population will increase to 8.5 billion in 2030, 9.7 billion in 2050, and 10.9 billion in 2100. Sub-Saharan Africa will be the fastest-growing region, surpassing Central and South Asia by 2100. Nine countries will account for half of the population growth by 2050, including India, Indonesia, and Pakistan from Asia. India, Indonesia, and Pakistan are among them, as is the United States. India will replace China as the most populous country next year. Factors that will affect the population are the total fertility rate, child mortality rate, and international migration.

In 2018, for the first time in history, the population over 65 years old exceeded the number of children under 5 years old; by 2050, the elderly population will also exceed the young population (15~24 years old). Care will be more important than ever.

Looking back, at the 1994 International Conference on Population and Development (ICPD) in Cairo, it was agreed that the improvement of "sexual and reproductive health(rights)," now widely accepted as the basis for population policy. The focus of population policy has largely shifted to the individual level (micro), particularly to women's rights. In addition, the notion that population and development issues are closely related and interact with each other became a common international understanding. Population issues became a key area of gender and human rights issues. In November 2019, a Summit was held in Nairobi, Kenya, to mark the 25th anniversary of the ICPD. The Summit included statements such as accelerating the achievement of the ICPD Plan of Action and the 2030 Agenda for Sustainable

Development. Nearly half of the commitments expressed by conference participants including government representatives, legislators, and NGOs, were to promote the ICPD Action Plan, and I look forward to further progress in the future.

Progress since the Cairo Conference is well represented in the following indicators Maternal mortality rate decreased from 100,000 vs. 365 in 1994 to 211 in 2017, on average, worldwide. The average lifetime number of births per woman has decreased from 4.8 in 1969 to 2.5 in 2019. However, there are many challenges, including marginalized populations, ethnic minorities, youth, and the unmarried who do not have access to sexual and reproductive services.

Yet another feature of population change is urbanization, a trend that will continue with an estimated 68% of the world's population residing in cities by 2050. There are many issues to be addressed, such as improving urban transportation and slum living conditions.

Both China and India have huge populations of just over 1.4 billion people. The world's growing population of 8 billion reminds us that we must take more seriously the challenges we are aces in facing the Sustainable Development Goals (SDGs), which are being pursued around the world for the target year of 2030. The world still faces so many challenges and problems, such as the COVID-19 pandemic, conflict, violence, and hunger.

The world population will continue to grow, reaching 9 billion in 2037. It is further projected to peak at about 10.4 billion in the 2080s and remain at that level until 2100. It will take about 12 years for the population to grow from 7 billion to 8 billion, about the same period of time it took to grow from 6 billion to 7 billion.

Half of the population growth to 8 billion comes from Asia, followed by Africa with the second largest population of about 400 million. By country, 10 countries account for more than half of the population growth from 7 billion to 8 billion. Of these, India is by far the largest, followed by China and Nigeria. The future arrival of the 9 billion population will also be largely due to the growth of the African and Asian populations.

Japan, by the way, is the 11th most populous country in the world, and there are only 15 countries in the world with a population over 100 million, including Vietnam, which has a population of nearly 100 million. Africa is attracting a great deal of attention, in part because of the economic contribution of its large population.

Furthermore, it is important to point out the increasing longevity of the world's population. The world's life expectancy at birth will reach 72.8 years in 2019, an increase of about 9 years from 1990. Life expectancy in the least developed countries is 7 years below the world average, and in many developing countries, the proportion of the population in the working (25-

64) age group is increasing, but the challenges of longevity and aging will be common worldwide in the future.

The United Nations Population Fund's "World Population White Paper 2022" focuses on the fundamentals of population issues, namely, reproductive health and rights. It points to an overlooked crisis: about half of the world's pregnancies, an estimated 121 million pregnancies per year worldwide, are unintended. It identifies these unintended pregnancies as a personal, health care, human rights, development, and humanitarian issue. The individual right to "freely determine the number and spacing of children" has been, in my view, the great present law on population since the first World Population Conference in Bucharest in 1974, and has been established through the 1994 World Conference on Population and Development (in Cairo) and the 1995 Fourth World Conference on Women (in Beijing), where sexual and reproductive health and rights. However, in reality, there are many issues that need to be addressed and further protected human rights is necessary.



Thank you for reading. Any comments and suggestions are welcome.

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