



Human rights and sustainability

By Louise Croker

Human rights are principles or standards which give individuals the freedom to lead a dignified life, a life worthy of a human being, a life that cannot be enjoyed to its full potential without these rights. To violate and deny someone their human rights is to alienate or estrange someone from their moral nature.¹ The source of contemporary human rights is considered to be the United Nations Universal Declaration of Human Rights 1948 (UDHR). This sets out the minimum conditions for a dignified life and views itself as a common achievement for all human beings. Therefore human rights are universal in scope. The UDHR has been codified into international law in the form of two conventions: the International Covenant on Civil and Political Rights (1966) and the International Covenant on Economic, Social and Cultural Rights (1966). These Covenants are commonly known as the International Bill of Human Rights which, together with the UDHR, is seen as the internationally accepted framework for human rights.

It is believed that the very special nature of human rights demands that every individual, institution and organisation in society realises this moral vision of human dignity and human possibility. Therefore every sector of society, including the business sphere, in every country, has responsibilities to promote and protect human rights. Furthermore human rights have recently been perceived as a fundamental aspect of responsible business. In particular it is widely held amongst certain groups of society that the UDHR should form the foundation of an enterprise's human rights strategy. However, even though the UDHR and the subsequent Covenants were drafted by and have traditionally been directed at states, they have recently been interpreted to include businesses. For instance, in the preamble of the UDHR it proclaims, **“every individual and every organ of society (...) shall strive to (...) secure their universal and effective recognition and observance”**. Additionally Article 28 states, **“(e)veryone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realised”**. Therefore it is argued that these provisions place a direct moral obligation on business to protect and promote human rights.

Considering what has just been discussed, how exactly do human rights ‘fit in’ with the sustainability topic? In order to explore this, the concept of sustainability (sustainable development) needs to be further considered. There have been many widespread meanings

of the term; however, a broadly accepted definition is the capacity 'to meet the needs of the present without compromising the ability of future generations to meet their own needs'. It is argued that there are three aspects to sustainability, whereby firms must consider economic, environmental and social aspects of their activities, in order to minimise any harm resulting from those activities as well as adding value to those spheres. This is also referred to as the triple bottom line, and these elements provide businesses with a blueprint to follow in becoming truly sustainable companies. Furthermore, these dimensions are interdependent and need to be considered simultaneously. Nevertheless, for many companies, sustainability translates into eco-efficiency only. Additionally it has been argued that enterprises are now taking into consideration the environmental aspects of the triple bottom line also. Human rights responsibilities, however, have developed much later than environmental obligations, and as a result numerous companies still deny that human rights are of concern to them. Nevertheless, many perceive human rights as a specific category within the social field of sustainability. Companies are expected to protect and promote the human rights of those they have direct control over, or to put it another way, those involved in their core operations. Firstly, business has long understood a duty of care towards its employees and the internationally accepted framework for labour rights concerns the standards set by the International Labour Office. In particular there are seven fundamental international labour standards, which include rights such as the abolition of forced labour, elimination of discrimination, a minimum working age, freedom of association and so forth. Many have perceived, and still do, that the human rights duties of companies extends only to their workforce. This is an extremely narrow interpretation and more recently human rights responsibilities have been associated with other stakeholder groups. For example, the impact a company's operations have on the immediate host community, it is argued, must be considered. This has particular significance to certain industries, the extractive for instance, and the community has a right to be consulted at all stages of a company's planned operations. It is suggested by many, especially some notable NGOs, that firms have a duty to engage in dialogue with the host country's government in raising any human rights concerns. It seems that there is more pressure on companies to engage in this interchange when they are operating in a country which has a particularly repressive, human rights violating regime. The issues just discussed are highly controversial, lacking international agreement and dividing opinion between and within companies, writers, politicians, inter-governmental organisations, NGOs, workers etc. Further research and consultation with all stakeholders is necessary to address these considerable issues concerning the scope of business' human rights obligations.

It was highlighted above that, for many, human rights are perceived to be situated in the social field of sustainability. Human rights and the environment have been analysed as distinct social and political issues, when in fact they are inextricably connected. Similar to the environmental policymakers during the 1970s and 1980s, who wanted to dispel the notion

that the environmental and economic fields of sustainability were fundamentally hostile, a recent movement is trying to achieve the same with human rights and the environment. It was stressed above that the three main features of sustainability are interdependent, in as much as a substantial change or impact in any of these spheres will affect the other fields. Therefore the unsustainable development of the environment threatens many of the fundamental human rights set out in the UDHR, such as the right to life, health, property and so forth. It can be argued that everything which affects the environment has an impact on the human condition, although in some cases this relationship will be more direct than others. For example, the technology, extractive and agriculture industries illustrate the direct convergence of human rights and the environment.

References

¹ DONNELLY, J 1989 *Universal Human Rights in Theory & Practice* : Cornell University Press, New York.