

## Rzeczpospolita: Introducing Business and Human Rights to general public in Poland

Beata Faracik

On 28 February 2018, the readers of the Polish newspapers Rzeczpospolita<sup>1</sup> and Parkiet<sup>2</sup> found an interesting insert: a 32-page supplement on Business and Human Rights (BHR) under the title: "Biznes i prawa człowieka. Odpowiedzialność, korzyści, etyka" (Business and Human Rights. Responsibility, benefits, ethics), now available also online in PDF format (<http://www.rp.pl/assets/pdf/RP255770227.PDF>).

The publication, developed in close cooperation with the [Polish Institute for Human Rights and Business](#) aims to raise awareness of business and human rights and provide an accessible introduction to this topic for the broader public and not just the usual circle of CSR and BHR experts. Therefore, its content addresses issues that are important for any person whose rights could be affected adversely by a company, but also aims to provide basic advice to readers from business circles on what steps can be undertaken to improve their company's respect for human rights. A separate special section dedicated to BHR was created on the [Rzeczpospolita portal](#) <http://www.rp.pl/biznesprawaczlowieka>, where several of the articles from the publication also featured, where the publication has the potential to reach much a broader circle than the 50-60 thousand subscribers of the Rzeczpospolita and Parkiet. Publication and creation of the special thematic online section was made possible thanks to the financial engagement of several companies: TÜV Rheinland Polska sp z o.o., Aterima, Cemex, BGŻ BNP Paribas and LPP S.A. Ministry of Foreign Affairs, Ministry of Investment and Development and Ombudsman granted their Honorary Patronage.

The publication opens with a dedicated [article by Prof. John Ruggie](#) (Polish: <http://www.rp.pl/Biznes-i-prawa-czlowieka/302279927-John-G-Ruggie-Odpowiedzialne-dzialanie-firm-przestalo-byc-kwestia-wyboru.html>; English: <http://www.rp.pl/Biznes-i-prawa-czlowieka/302279914-John-G-Ruggie-There-is-no-longer-a-choice-for-businesses-to-act-responsibly.html> ), who sets out the general, global context of the current discussion about business and human rights and provides an introduction to the UN Guiding Principles on Business and Human Rights. It is followed by an [article by Beata Faracik](#), which sets out the Polish perspective on the UNGPs implementation in Poland and challenges but also opportunities identified in the process, which provides an introduction to the 3 sections of the publication, each of which is dedicated to a different UNGPs pillar. Each section is introduced by a quote of relevant excerpts from the UNGPs followed by a summary of three live debates that took place in Rzeczpospolita ([Debate I: full recording & short recordings](#); [Debate II / Pillar II](#) ;[Debate III / Pillar III](#)).

The publication also provides information about the Polish National Action Plan implementing the UNGPs and features articles by the public administration representatives regarding Sustainable public procurement and initiatives undertaken by the NCP OECD in Poland and the

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<sup>1</sup> Rzeczpospolita is a nationwide economic and legal newspaper and the only conservative-liberal newspaper in Poland. It is the source of information for opinion leaders, managers, professionals, and key business decision-makers. For years, it has been considered the most opinion-making medium in Poland.

<sup>2</sup> Gazeta Giełdy i Inwestorów "Parkiet" (A newspaper of stock exchange and investors "Parkiet") is a nationwide specialist journal that aims at the stock exchange and the entire capital market. It is addressed to a broad spectrum of people interested in investments, economy and financial markets, as well as in the operation of companies and markets and the products and services they offer.

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Ministry of Investment and Development (e.g. article by Jacqueline Kacprzak, Ministry of Investment and Development, "O prawach człowieka w biznesie"). Other articles, like the one by Irena Dawid-Olczyk from La Strada Foundation Against Human Trafficking and Slavery address issues such as e.g. forced labour and the problem arising from the fact that companies underestimate the risk of being implicated in forced labour practices due to insufficient due diligence processes and lack of knowledge of how the system operates. Articles are also supplemented by several cases of good practices such as the "Safe Work Abroad" by Grupa ATERIMA, which since 2011, in cooperation with the PoMOC Association (which works with victims of human trafficking) has been combating contemporary slavery and human trafficking by promoting the responsibility of employers towards employees and carrying out educational and awareness raising projects (e.g. development of the free "Safe Work Abroad" guide) aimed at educating the general public and in particular those seeking employment abroad about potential threats and how to take care of one's safety (incl. how to prepare for the trip and what documents to demand before leaving abroad, and whom to contact in case of problems when already there).

The second section of the thematic supplement dedicated to Pillar 2 features articles aimed at introducing readers, particularly companies, to HRDD. It is worth noting an article by Joanna Szymonek of the Polish Institute for Human Rights and Business who introduces UNGPs as a useful risk management tool in the area of labor and personnel management and points out that the value of the UN Guidelines also lies inter alia in the use of due diligence processes to help mitigate and address the labour-related risk and avoid the rise in the operating costs, especially in the global supply chain. The article shows how to use the UN Guidelines in order to reinforce the sustainability of the companies and respect human rights in usual business operations. This is followed by an article by Dr. Agata Rudnicka of the University of Łódź, who sheds light on where to start if one wants to ensure a sustainable supply chain where human rights are respected; and then an article dedicated to the UNGP Reporting Framework authored by Mairead Keigher, Reporting Programme Manager at Shift. (English: <http://www.rp.pl/Biznes-i-prawa-czlowieka/302279913-Mairead-Keigher-Human-rights-reporting-a-must-for-European-business.html>; Polish: <http://www.rp.pl/Biznes-i-prawa-czlowieka/302279918-Mairead-Keigher-Raportowanie-w-obszarze-praw-czlowieka-koniecznosc-czy-korzysc.html>). While the majority of companies in Poland are at the beginning of a more conscious path towards ensuring respect for human rights in their activities, the publication features interviews with representatives of two companies, which have undertaken a more strategic approach in this area. Thus, in an interview Malgorzata Zdzienicka-Grabarz, the director of CSR Department, explains how BGZ BNP Paribas Bank activities are associated with corporate social responsibility, why responsible financing is key for banks and how it works in practice, as well as the reasons behind the disinvestment from coal-based projects, and disinvestment from fur animals farms (an initiative of the Polish chapter of this bank). Another company that features in the publication is LPP S.A., a company whose labels were found in Rana Plaza. In an interview, Anna Miazga, CSR Coordinator at LPP S.A., explains what concrete actions the company has undertaken since then to address human rights in its supply chain, including joining the Accord and establishing a dedicated office in Dhaka to better monitor the situation in the factories they source from. The publication also includes an interesting comment by CEMEX on the stakeholder engagement in various contexts.

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Finally, the third section of the publication dedicated to Pillar 3 features an article by Dr. Adam Bodnar, Polish Commissioner for Human Rights, on the barriers to the effective access to remedy; as well as an article by Bartosz Kwiatkowski, director of the Polish chapter of the Fundacja Frank Bold, who addresses similar issues but from a different angle. The final piece by Norbert Kusiak, Head of Department at the Trade Union OPZZ, addresses the role that trade unions could play in assisting companies in ensuring respect for human rights, and in creating efficient and trustworthy grievance mechanisms.

Finally, page 31 features links to useful resources, organisations, publications and websites.

The complete supplement publication to Rzeczpospolita and Parkiet “Biznes i prawa człowieka” (Business and human rights) is available in PDF format at: <http://www.rp.pl/assets/pdf/RP255770227.PDF>

Some of the articles are extracted from the PDF and function as separate articles either in Polish only, or both in Polish and English.

See the relevant table with abstracts and links below:

Abstract	Link to article in English	Link to article in Polish
Author: Prof. John G. Ruggie Title EN: There is no longer a choice for businesses to act responsibly Title PL: Odpowiedzialne działanie firm przestało być kwestią wyboru	<a href="http://www.rp.pl/Biznes-i-prawa-czlowieka/302279914-John-G-Ruggie-There-is-no-longer-a-choice-for-businesses-to-act-responsibly.html">http://www.rp.pl/Biznes-i-prawa-czlowieka/302279914-John-G-Ruggie-There-is-no-longer-a-choice-for-businesses-to-act-responsibly.html</a>	<a href="http://www.rp.pl/Biznes-i-prawa-czlowieka/302279927-John-G-Ruggie-Odpowiedzialne-dzialanie-firm-przestalo-byc-kwestia-wyboru.html">http://www.rp.pl/Biznes-i-prawa-czlowieka/302279927-John-G-Ruggie-Odpowiedzialne-dzialanie-firm-przestalo-byc-kwestia-wyboru.html</a>
Author: Mairead Keigher, Reporting Programme Manager at Shift Title EN: Human Rights reporting – a must for European business Title PL: Raportowanie w obszarze praw człowieka – konieczność czy korzyść?	<a href="http://www.rp.pl/Biznes-i-prawa-czlowieka/302279913-Mairead-Keigher-Human-rights-reporting-a-must-for-European-business.html">http://www.rp.pl/Biznes-i-prawa-czlowieka/302279913-Mairead-Keigher-Human-rights-reporting-a-must-for-European-business.html</a>	<a href="http://www.rp.pl/Biznes-i-prawa-czlowieka/302279918-Mairead-Keigher-Raportowanie-w-obszarze-praw-czlowieka-koniecznosc-czy-korzysc.html">http://www.rp.pl/Biznes-i-prawa-czlowieka/302279918-Mairead-Keigher-Raportowanie-w-obszarze-praw-czlowieka-koniecznosc-czy-korzysc.html</a>

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<p>Author: Beata Faracik, President of the Board of the Polish Institute of Human Rights and Business Title EN: Human Rights and Business: Polish perspective Title PL: Prawa człowieka i biznes – polska perspektywa.</p> <p>Abstract: Faracik provides a quick introduction to BHR, as well as a brief overview of developments in Poland in this area since 2011, including NGOs and trade unions efforts aimed at government to develop the National Action Plan on Business and Human Rights. She stresses very low awareness and respect for human rights in general, and in particular in the area of business, which finds reflection in e.g. statistical data published by the National Labour Inspectorate concerning respect for workers' rights or H&amp;S regulations, as well as high number (approx. 180000 people) being estimated to experience forced labour. She points out that many companies undervalue the cost associated with lack of respect for human rights and therefore it is important that the state undertakes concrete efforts to ensure that companies do meet their responsibility to respect human rights. While NAP is part of the answer in terms of more systemic approach to the identified problem, she also goes on to discuss what steps companies should undertake to ensure they respect human rights in their day to day business activities, including providing some hints as to the HRDD. She also points to the difference between 'typical' CSR and BHR, and why it is important for companies that want to deem themselves responsible, to understand the adverse impacts of the lack of respect for human rights.</p>	<p>None</p>	<p><a href="http://www.rp.pl/Biznes-i-prawa-czlowieka/302279917-Beata-Faracik-Prawa-czlowieka-i-biznes---polska-perspektywa.html">http://www.rp.pl/Biznes-i-prawa-czlowieka/302279917-Beata-Faracik-Prawa-czlowieka-i-biznes---polska-perspektywa.html</a></p>
<p>Author: Norbert Kusiak, OPZZ Title EN: The man of the 4th industrial revolution Title PL Człowiek czwartej rewolucji przemysłowej</p>	<p>None</p>	<p><a href="http://www.rp.pl/Biznes-i-prawa-czlowieka/302279850-Czlowiek-czwartej-rewolucji-przemyslowej.html">http://www.rp.pl/Biznes-i-prawa-czlowieka/302279850-Czlowiek-czwartej-rewolucji-przemyslowej.html</a></p>

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<p>Abstract: Author points to the positive impact of the UNGPs implementation on the level of conditions and standards at work in companies operating in Poland. He presents the role and importance of the trade unions in this process. In the article a thesis is formulated, that the answer to the civilisation threat connected to the fourth industrial revolution rests in social dialogue, collective bargaining, increasing the scope of the workers participation. The democracy mechanisms and workers participation (collective bargaining/negotiations) are critically assessed. The research results were presented that confirm that in the companies in which strong trade unions function, the business respect for human rights and overall responsibility for human rights exist and it is less frequently that human rights are violated. The article provides concrete examples of activities undertaken by trade unions and employers association at the national level, to improve work standards and protection of human rights, the aim of which is to promote the good examples. This proves that an effective implementation of the UNGPs is possible under condition of a continued social dialogue in companies and can lead to the growing overlap of the common preferences and interests of the employers and trade unions.</p>		
<p>Author: Adam Bodnar, The Commissioner for Human Rights (Polish Ombudsman) Title EN: Remedies help in dispute Title PL : Środki zaradcze pomagają w sporach</p> <p>In this short article, Polish Commissioner for Human Rights not only discusses various remedies that can be used in disputes of human rights nature in the business context, but also informs</p>	None	<a href="http://www.rp.pl/Biznes-i-prawa-czlowieka/302279916-Adam-Bodnar-Srodki-zaradcze-pomagaja-w-sporach.html">http://www.rp.pl/Biznes-i-prawa-czlowieka/302279916-Adam-Bodnar-Srodki-zaradcze-pomagaja-w-sporach.html</a>

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about the efforts undertaken by the Commissioner to address variety of issues and cases that are brought to his attention every day.		
Author: Bartosz Kwiatkowski, Director of the Frank Bold Foundation Poland Title EN: The Law versus everyday lawlessness Title PL – Prawo kontra codzienne bezprawie Kwiatkowski stresses at the beginning of his article that Poland is by no means a country that legally allows violation of human rights, or in which there are no provisions to prevent such violation. However, as he subsequently points out, the effectiveness of law system is not guaranteed by general principles, such as the constitutional principle of the rule of law, but rather by seemingly insignificant provisions implementing these principles, such as procedural regulations giving the right to lodge a complaint against a decision made during the administrative process. Not without significance is also the legal culture, associated – inter alia – with the attitude of state authorities to citizens, as well as the existence and quality of legal education available to every person. Therefore, in order to talk about sufficient access to remedies in the area of human rights and business, it is necessary to discuss the existence of appropriate legal mechanisms, awareness of this existence and the possibility of using them. Unfortunately, in Poland problems with all these elements still exist.	NONE	<a href="http://www.rp.pl/Biznes-i-prawa-czlowieka/302279919-Bartosz-Kwiatkowski-Prawo-kontra-codzienne-bezprawie.html">http://www.rp.pl/Biznes-i-prawa-czlowieka/302279919-Bartosz-Kwiatkowski-Prawo-kontra-codzienne-bezprawie.html</a>
Author: dr Agata Rudnicka-Reichel Title EN: - Human issues in supply chains Title PL: Ludzki problem w łańcuchu dostaw  Abstract:	NONE	<a href="http://www.rp.pl/Biznes-i-prawa-czlowieka/302279847-Ludzki-problem-w-lancuchu-dostaw.html">http://www.rp.pl/Biznes-i-prawa-czlowieka/302279847-Ludzki-problem-w-lancuchu-dostaw.html</a>

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<p>Article by dr Rudnicka looks at the human rights issues in the supply chains. She points that when buying another item, majority of consumers usually do not wonder if its production may be related to the violation of the human rights. Moreover, although it would be difficult to suspect customers of deliberately promoting human rights abuses, the economic reality of the 21st century and the approach to social aspects of supply chain management still leave much to improve. Enterprises should take responsibility for activities carried out in the supply chains, and first of all focus on those elements of relationships in which the risk of violation of human rights is high. There are some essential areas which should be taken into consideration if the company intends to manage human rights issues in the supply chain consciously. Knowing your supply chain will not eliminate the risk completely, but it will make the implemented processes more predictable, and the emerging challenges will be more quickly identified and managed.</p>		
<p>Interview with Anna Miazga, CSR Coordinator at LLP Title EN: Global Challenges in the protection of human rights Title PL: Globalne wyzwania w ochronie praw człowieka</p> <p>Abstract: As Anna Miazga, CSR Coordinator at LPP SA (Polish clothing manufacturer) points out in the interview, respecting human rights by enterprises is an important topic not only from the point of view of one country or industry. It's a global problem. The key to success is, among other things, the systematic implementation by the manufacturers of standards for improving safety and working conditions. In an interview she describes experience of LPP, as an example of a company that</p>	<p><a href="http://www.rp.pl/Biznes-i-prawa-czlowieka/302279849-Anna-Miazga-Global-challenges-in-the-protection-of-human-rights.html">http://www.rp.pl/Biznes-i-prawa-czlowieka/302279849-Anna-Miazga-Global-challenges-in-the-protection-of-human-rights.html</a></p>	<p><a href="http://www.rp.pl/Biznes-i-prawa-czlowieka/302279853-Anna-Miazga-Globalne-wyzwania--w-ochronie-praw-czlowieka.html">http://www.rp.pl/Biznes-i-prawa-czlowieka/302279853-Anna-Miazga-Globalne-wyzwania--w-ochronie-praw-czlowieka.html</a></p>

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<p>since the Rana Plaza tragedy has been consistently implementing actions to improve the quality of its supply chain. Cooperation under the ACCORD agreement, constant monitoring of suppliers, the system of reporting violations, and above all the code of conduct applicable to all suppliers, are only some of the activities undertaken by the company in this respect. The introduction to factories producing on behalf of LPP the company's key values and standards for human rights is also a response to the still growing consumers' awareness of the health and safety conditions at the plants where the goods they purchase are produced. Such activities are undoubtedly a large investment that is paying off.</p>		
<p>Interview with Małgorzata Zdzenicka-Grabarz, BGŻ BNP Paribas</p> <p>Title EN: People have to respect each other Title PL: Ludzie muszą się szanować</p> <p>In this interview Malgorzata Zdzenicka-Grabarz, the director of CSR Department, explains how BGZ BNP Paribas Bank activities are associated with corporate social responsibility, why responsible financing is key for Bank and how it works in practice. By examining potential and existing clients, Bank makes sure that it does not support financially non-responsible socially or environmentally projects. Bank implements its mission into practice, by monitoring the risks in seven sensitive sectors (e.g. mining, coal fired power plants, agriculture, defence). Customers that operate in one of this sectors have to go through appropriate procedures before securing the financing.</p>	<p><a href="http://www.rp.pl/Biznes-i-prawa-czlowieka/302279848-Malgorzata-Zdzenicka-Grabarz-People-have-to-respect-each-other.html">http://www.rp.pl/Biznes-i-prawa-czlowieka/302279848-Malgorzata-Zdzenicka-Grabarz-People-have-to-respect-each-other.html</a></p>	<p><a href="http://www.rp.pl/Biznes-i-prawa-czlowieka/302279852-Malgorzata-Zdzenicka-Grabarz-Ludzie-musza-sie-szanowac.html">http://www.rp.pl/Biznes-i-prawa-czlowieka/302279852-Malgorzata-Zdzenicka-Grabarz-Ludzie-musza-sie-szanowac.html</a></p>



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<p>In line with the BNP Paribas decision of October 2017, Bank exits from financing tobacco sector.</p> <p>CSR in practice stands not only for mitigation of risks but also strengthening of a positive impact of financing. Therefore apart from the decision to leave the coal sector, Bank develops offer of products in a range of renewable energy sources.</p>		
<p>Author: Jacqueline Kacprzak, Ministry of Investment and Development, Poland</p> <p>Title EN: About human rights in business</p> <p>Title PL: O prawach człowieka w biznesie</p> <p>The author – apart from presenting the UNGPs, also provides the description of other initiatives at the CoE or UE level.</p>	None	<a href="http://www.rp.pl/Biznes-i-prawa-czlowieka/302279924-Jacqueline-Kacprzak-O-prawach-czlowieka-w-biznesie.html">http://www.rp.pl/Biznes-i-prawa-czlowieka/302279924-Jacqueline-Kacprzak-O-prawach-czlowieka-w-biznesie.html</a>