



U.S. DEPARTMENT OF STATE

DIPLOMACY IN ACTION

U.S. Government Efforts to Advance Business and Human Rights in 2017

The U.S. government is committed to supporting and advancing respect for human rights among businesses, and has continued to take steps toward this objective in 2017. This document is meant to provide a snapshot of a few examples of the work undertaken in this regard.

Laws and Policies

- **U.S. government enacts Countering America's Adversaries Through Sanctions Act.** Under this law, any foreign person or company that utilizes North Korean labor, which is presumed to be forced labor, in their supply chains could be subject to sanctions. The law is an example of how the U.S. government takes action to promote internationally recognized labor rights for all workers and creates consequences for entities complicit in human rights abuses. U.S. Customs and Border Protection has a [factsheet](#) to guide companies on supply chain due diligence, including under this law.
- **USAID launches global alliance to promote legal and sustainable seafood.** Launched in October, the Seafood Alliance for Legality and Traceability “SALT” brings together the seafood industry, governments, and non-governmental organizations to collaborate on innovative solutions for legal and sustainable seafood, with the goal of increased transparency in seafood supply chains and strengthened management of fisheries.
- **U.S. government addresses trafficking in persons in federal supply chains.** The U.S. government continues to implement the Federal Acquisition Regulation (FAR), “Ending Trafficking in Persons,” which prohibits federal contractors, sub-contractors, and their agents from engaging in human trafficking or activities known to facilitate trafficking. The Department of State continues to conduct training for new acquisition personnel on their roles and a responsibility related to the FAR, and engages other governments to encourage them to examine their own supply chains.
- **U.S. government commits to publishing a fourth Open Government Partnership (OGP) National Action Plan.** In October, the U.S. government notified OGP that it would publish its fourth National Action Plan, and related documents, in early 2018. This extension will allow the additional time needed to work with trusted civil society partners to develop a comprehensive plan reflective of our national priorities.
- **U.S. National Contact Point undertook a Peer Review September 28-29, 2017.** The Peer review assessed how the National Contact Point process is working in practice and how it helps to promote responsible business conduct within the United States.
- **U.S. government joins G20 leaders' summit declaration, which includes a commitment to labor, social, and environmental standards.** Leaders convened in Hamburg on July 7-8 to address major global economic challenges and to contribute to prosperity and well-being. Commitments included establishing and fostering the implementation of policy frameworks on business and human rights and underlining the responsibility of business to exercise due diligence.
- **U.S. government co-sponsored UN Human Rights Council resolutions that advance business and human rights.** In June 2017, the U.S. co-sponsored a resolution extending the mandate of the UN Business and Human Rights Working Group to promote dissemination and implementation of the UN Guiding Principles (GPs). The resolution also calls upon all business enterprises to meet their responsibility to respect human rights in accordance with the GPs. In March 2017, the United States co-sponsored a [resolution](#) renewing the mandate of the Special Rapporteur for Human Rights Defenders. The Special Rapporteur’s 2017 [annual report](#) focused on defenders in the field of business and human rights. In its interactive dialogue on the issue, the U.S. noted the important role that human rights defenders play in protecting and advancing the fundamental freedoms that create the enabling environment for successful businesses to thrive around the world.



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- **U.S. government submits amicus brief in *Jesner et. al. v. Arab Bank*.** The *Jesner* case asked whether a corporation can ever be held liable under the Alien Tort Statute. The U.S. took the position, consistent with its position in *Kiobel*, that the court below “erred in holding that a corporation can never be subject to a ‘civil action’ for a ‘tort’ in violation of the law of nations” under the Alien Tort Statute, but that other obstacles might prevent this particular case from moving forward.
- **U.S. government joins U.K. Call to Action on Human Trafficking.** The U.S. government endorsed U.K. Prime Minister Theresa May’s Call to Action to end Forced Labour, Modern Slavery and Human Trafficking. Released on September 20, 2017, and endorsed by 37 states, the Call To Action expresses a political commitment to “combating the exploitation of human beings for the purposes of compelled labour or commercial sex through the use of force or other forms of coercion, or fraud.”

Tools

- **U.S. Department of Labor releases new “Comply Chain” mobile app.** The app is designed to help companies and business groups develop robust social compliance systems to root out child labor and forced labor from global supply chains.
- **U.S. Department of State awards \$25M to Global Fund to End Modern Slavery.** This award is for a three-year program to reduce the prevalence of modern slavery in specific countries or regions around the world. A portion of the \$25 million will support grants focused on combating human trafficking in select industries. The Program will seek to raise commitments of \$1.5 billion in support from other governments and private donors.
- **U.S. Department of State updates tools to prevent human trafficking in global supply chains.** The State Department and NGO Verité are adding new sector-specific materials to the Responsible Sourcing Tool, an online platform with resources to help federal contractors, acquisitions officers, and businesses identify, prevent, and address human trafficking risks in their global supply chains. The site contains information on sectors and commodities at risk for trafficking or trafficking-related activities, as well as 10 risk management tools and a set of seafood sector specific tools. Recent efforts include increased data analytics, marketing, and evaluations to analyze current usage, drive new users to the site, and enhance the tools’ effectiveness.
- **USAID undertakes Three Responsible Land-Based Investment Pilots.** The three pilots are with Illovo Sugar in Mozambique, the Moringa Partnership in Kenya, and Hershey in Ghana. USAID partners with the private sector to better understand and mitigate land tenure risks associated with agribusiness investments in the developing world. Through these partnerships, USAID works to secure legitimate land rights and to improve livelihoods and other outcomes for communities in the investment areas.
- **U.S. Department of Labor supports project to reduce child labor in production of vanilla in Madagascar.** The project works with vanilla exporters to develop a supply chain traceability system to ensure their supply chains are free of child labor.
- **U.S. Department of State and USAID renew Public-Private Alliance for Responsible Minerals Trade.** It was renewed for another 5 years. The U.S. Department of Labor also joined. The Alliance consists of thirty members from NGOs, trade associations, and private companies to address conflict minerals in the Great Lakes Region of Africa.
- **USAID launches a second Land Tenure and Property Rights Massive Open Online Course (MOOC) in 2017.** The course, publicly available, includes three new modules on geospatial data and technology, customary and community tenure, and USAID programming as it relates to land tenure and property rights.
- **USAID updates Land Governance Profiles.** USAID creates and/or updates 15 such profiles (Afghanistan, Burkina Faso, Burma, Colombia, Cote d'Ivoire, Iraq, Jordan, Kenya, Mexico, Mozambique, Nepal, Pakistan, Philippines, Rwanda, Ukraine and Zambia) to be completed by May of 2018. These profiles are an invaluable introduction for businesses that are looking to make land-based investments in a given country, and are conscientious about investing in an ethical and responsible manner.