



# U.S. DEPARTMENT OF STATE

## DIPLOMACY IN ACTION

### U.S. Government Efforts to Advance Business and Human Rights in 2019

The U.S. government is committed to supporting the voluntary efforts of businesses to advance human rights and protecting against human rights abuses, including those committed by business enterprises. The U.S. government has continued to take steps towards this objective in 2019. This document is meant to provide an illustrative snapshot of the work undertaken in this regard over the past year.

#### Laws and Policies

- **[Newly Signed US-Mexico-Canada Agreement \(USMCA\) strengthens protection of labor rights.](#)** The USMCA, which was signed earlier this year, would bring compliance with labor standards into the core of the text governing the trade relationship among the three countries. It contributed to Mexico's enacting historic labor law reform to provide for the effective recognition of the right to collective bargaining. The USMCA also would require the U.S., Canada, and Mexico to prohibit the importation of goods made by forced labor, including forced child labor.
- **[U.S. Customs and Border Protection \(CBP\) issues five Withhold Release Orders \(WROs\) for goods produced by forced labor.](#)** The WROs, issued on September 30<sup>th</sup>, cover five products imported from five different countries. This action was based on information obtained and reviewed by CBP that indicates that the products are produced, in whole or in part, using forced labor. Under U.S. law, it is illegal to import goods into the U.S that are made wholly or in part by forced labor, which includes convict labor, indentured labor, and forced or indentured child labor.
- **[U.S. Government furthers the Principles to Guide Government Action to Combat Human Trafficking in Global Supply Chains \(Principles\).](#)** Launched jointly by the U.S., Australia, Canada, New Zealand, and the United Kingdom on the margins of the United Nations General Assembly in 2018, the Principles provide a framework for countries to prevent human trafficking in public and private sector supply chains. Since 2018, the five governments have met regularly to advance implementation of the Principles. The four Principles that are implemented by these governments are framed around the agreement that governments should: 1) take steps to prevent and address human trafficking in government procurement practices; 2) encourage the private sector to prevent and address human trafficking in its supply chains; 3) advance responsible recruitment policies and practices; and 4) strive for harmonization.
- **[The Department of Commerce adds 28 governmental and commercial organizations in China to the Bureau of Industry and Security Entity List for human rights violations.](#)** These entities have been implicated in committing or enabling human rights violations and abuses in the implementation of Beijing's campaign of repression, mass arbitrary detention, and high-technology surveillance against Uighurs, Kazakhs, and other members of religious and ethnic minority groups in the Xinjiang Uighur Autonomous Region (XUAR). Being on the list imposes additional license requirements on, and limits the availability of most license exceptions for, exports, reexports, and transfers (in country) to listed entities.
- **[The Department of State holds more than 15 meetings with an informal U.S. government interagency working group to monitor violence against environmental defenders in 2019.](#)** The group engaged stakeholders and reviewed United Nations, NGO, and U.S. government reporting about violence against environmental defenders to best inform U.S. policy.
- **[The Department of State hosts a women's empowerment responsible sourcing conference.](#)** The conference was attended by private industry, public sector, and civil society representatives to outline the Department's women's economic empowerment initiative, Providing Opportunities for Women's Economic



Rise ([POWER](#)). POWER will promote efforts to support women as entrepreneurs and business leaders, particularly in emerging sectors.

## Tools

- **[The Department of State develops draft human rights due diligence guidance for the export of items with surveillance capabilities.](#)** The draft guidance, which was subject to extensive civil society and industry consultation, provides practical and easily accessible human rights guidance for all U.S. exporters of items with surveillance capabilities. We intend to release a final version of the guidance in early 2020.
- **[The Department of State develops human trafficking risk management tools for the food and beverage sector in its Responsible Sourcing Tool.](#)** The State Department and the NGO Verite developed the Responsible Sourcing Tool to assist U.S. federal contractors, procurement officials, and companies to better identify, prevent, and address the risks of human trafficking in their global supply chains. It includes an in-depth examination of 11 key sectors and 43 commodities at risk for human trafficking or trafficking-related practices; 10 comprehensive risk-management tools; and tailored tools for the seafood sector.
- **[The U.S. Congress contributes an additional \\$25 million to the Program to End Modern Slavery \(PEMS\).](#)** The Program, administered by the State Department’s Office to Monitor and Combat Trafficking in Persons, includes an award to the Global Fund to End Modern Slavery, which is combatting trafficking in India’s construction sector and commencing research on forced labor in Vietnam’s apparel industry.
- **[USAID launches a partnership with PepsiCo to demonstrate the business case for scaling women's economic empowerment throughout PepsiCo's agriculture supply chains.](#)** Beginning in West Bengal, India, this partnership seeks to empower women, strengthen women's land rights, bolster women's entrepreneurship and livelihood opportunities, and increase incomes for female farmers in India.
- **[The Department of Labor updates the look and feel of its “Comply Chain” mobile app.](#)** New features include improved user friendliness to reduce loading times and storage size, bookmarking, and PDF conversions. The app helps companies and industry groups around the world develop robust social compliance systems to root out child labor and forced labor from global supply chains.
- **[The Department of Labor launches projects totaling \\$17.5 million to address child labor and forced labor in supply chains.](#)** The [projects](#) seek to reduce forced labor and human trafficking in the recruitment of workers in Thailand; empower girls and women in Ghana; combat child labor in cobalt mining in the Democratic Republic of Congo; and address child labor and forced labor in palm oil supply chains in Colombia and Ecuador.
- **[The Department of Labor commits \\$19.25 million to fund projects to address child labor, forced labor, and other labor violations in Colombia and Mexico.](#)** These projects will focus on empowering girls and women in the coffee, flower, and sugarcane supply chains in Colombia and Mexico; increasing compliance with labor laws in agricultural supply chains in Mexico; and expanding activities of the Department of Labor-funded Somos Tesoro project in Colombia, which addresses child labor and working conditions in coal and gold mining supply chains.
- **[The Department of Labor provides funding to support the establishment of the Global Business Network on Forced Labor and Human Trafficking.](#)** Led by the International Labor Organization, the [Network](#) brings together businesses and business networks to spur collective action toward the elimination of forced labor and human trafficking in business operations and supply chains.
- **[The Department of Labor combats exploitative rural child labor in Peru.](#)** In Peru, the Department of Labor-funded *Semilla* project, implemented by the NGO “Desarrollo y Autogestión (DYA),” that worked



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with Peru's Ministry of Labor and Employment Promotion to expand a "[Child Labor Free Seal](#)" certification program nationwide. The project worked directly with small growers' organizations and private companies to standardize strategies for promoting child labor-free farming and increased income for growers. Participating organizations can now display the seal on their products. They will also receive technical assistance, helping improve their competitive advantage and access to socially responsible markets, where they can earn premium prices.

- **[The Department of State continues to support and oversee the Public Private Alliance for Responsible Mineral Trade.](#)** The Department funded the Secretariat this year and will host an in-region visit to neighboring African countries from December 8 – 18. The Public-Private Alliance for Responsible Minerals Trade (PPA) is a multi-sector initiative between leaders in civil society, industry, and the U.S. government that supports projects in the Democratic Republic of the Congo (DRC) and the surrounding Great Lakes Region of Central Africa (GLR) that improve the due diligence and governance systems needed for ethical supply chains.
- **[The Department of State awards the Award for Corporate Excellence \(ACE\) to four businesses for women's economic empowerment and sustainable operations.](#)** In a ceremony that took place on Thursday, October 31, the Secretary awarded the ACE for women's economic empowerment to The Chambers Federation in the Democratic Republic of the Congo and Procter & Gamble Asia Pacific in Singapore; and the sustainable operations award to Agilis Partners in Uganda and PepsiCo India in India. The ACE award honors U.S. companies that are helping to make economic growth possible. It recognizes companies that are bringing prosperity and positive corporate values to the communities where they do business.
- **[The Department of State releases recommended actions for "Managing Risks to Women in Supply Chains."](#)** Since the release on August 8, the recommendations for companies recognize that companies have important roles in addressing the unique risks that women face within complex supply chains. The recommendations include developing risk management plans and grievance mechanisms and encouraging stakeholders to respect women's rights across complex supply chains. The language in this document aligns with the OECD Guidelines and the UN Guiding Principles on Business and Human Rights.