



BSR Conference 2009  
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## Human Rights Dilemmas

Breakout Session Summary  
Wednesday, October 21, 2009 | 1:45-4 p.m.

### Speakers

- » **Mauricio Lazala**, Senior Researcher, Business & Human Rights Resource Centre
- » **Frank Mantero**, Director, Corporate Citizenship Programs, GE Corporation
- » **Ebele Okobi-Harris**, Director, Business and Human Rights Program, Yahoo! Inc.
- » **Faris Natour**, Director, Research & Innovation, BSR (moderator)

### Highlights

- » Engage with stakeholders, especially those whose rights are impacted.
- » Understand the local context where your company is operating.
- » Work to address the root causes. Although this is not solely the company's responsibility, business can help raise awareness of issues.
- » Conduct a human rights impact assessment.
- » Build partnerships with governments, NGOs, academia, and other companies.

### Memorable Quotes

*"Disengaging from 'difficult' markets and denying citizens access to technology and the internet can have the unintended consequence of undermining the very human rights that we seek to promote. Paradoxically, it is in places where free expression and privacy are most threatened that access to the internet can have the most profound impact."*—Ebele Okobi-Harris, Yahoo! Inc.

*"It is an obvious paradox, but the same technology that supports some human rights can be used to infringe upon other human rights."*—Frank Mantero, GE Corporation

*"Most Latin American countries have ratified many of the international human rights treaties; consequently, sometimes the issue is more about the social license to operate."*—Mauricio Lazala, Business and Human Rights Resource Centre

### Overview

Among the most complex challenges companies face are those involving their impacts on human rights. Typical human rights dilemmas include the misalignment of domestic law and international human rights protections, customer use of otherwise important and beneficial products in ways that threaten human rights, and conflict among different human rights.

Yahoo's primary human rights issues arise when governments create and enforce laws that conflict with international human rights norms. Okobi-Harris noted that this is not just a problem in China; many governments seek to control or regulate the internet. However, governments need to balance the rights of their citizens with the duty to protect their citizens.

Faced with this human rights dilemma, Yahoo created a business and human rights program intended to closely examine the rights to freedom of expression and privacy, and how these rights intersect with the internet and telecommunications industry. Yahoo then conducted a human rights impact assessment to inform the company about where to operate. Next year, the company plans to conduct internal training on employees' roles in human rights due diligence.



A second human rights dilemma is the customer use of normally beneficial products in a way that violates human rights. Mantero said GE has faced this issue with its ultrasound technology in India. In that country, there are allegations that the technology is being misused to facilitate female sex-selective abortions, which has impacted how ultrasound machines are sold, marketed, and distributed. To counter this, GE launched a poster campaign to help change perceptions about how women and girls are seen in India, and company leaders also met with government officials to push for industrywide action. GE also trains its sales representatives to advise people on the use of the ultrasound technology; these people are required to report to their manager if they suspect the technology will be used for unethical purposes.

Other human rights dilemmas occur when different human rights conflict. Lazala gave the example of when an extractives company enters a community and divides the loyalties of the people: Half strongly support the company based on the likelihood of employment opportunities, and the other half support the community of people who are displaced because of the project. The second group may also raise concerns about risks to their livelihood, including water, soil, and air contamination. Companies can increase their understanding of the different risks and opportunities by working with an independent party to engage with different stakeholders, including those whose rights will be impacted. By soliciting recommendations from a broad audience and following through on those recommendations, companies can take positive action.

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