



Wilton Park



Image: Nicole Willing

Conference report

Burma/Myanmar, business and human rights: setting standards for responsible business

Wednesday 7 – Friday 9 November 2012 | WP1195

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Introduction and key issues

The political and economic changes in Burma/Myanmar over the past year have been dramatic. The release of hundreds of political prisoners, the holding of successful by-elections in April 2012, the inclusion of the National League for Democracy (NLD) in Parliament following its electoral success, and the initiation of dialogue with ethnic groups that were engaged in conflict with the Union Government, have led other governments to lift or suspend the sanctions they had imposed on Burma/Myanmar.

Foreign investors who have stayed out of the country are now keen to explore possibilities. Both the Government and the Opposition have called for “responsible investment”. The Government has shown interest in participating in the Extractive Industry Transparency Initiative (EITI) and in mid-December 2012 announced the formation of a committee, headed by Minister U Soe Thein, to develop a work plan and take steps to apply for EITI Candidate status. A new foreign investment law has been passed and labour reforms have been initiated.

Representatives of international and local business, civil society experts from Burma/Myanmar and abroad, as well as policy-makers from governments met at Wilton Park to discuss the challenges in conducting “responsible investment”. The consensus was that the political changes are necessary, desirable, positive, and exceptional. The mood was tentatively optimistic, while candidly pointing out the real problems Burma/Myanmar still faces. These include slow and opaque bureaucratic processes, lack of an independent and capable judiciary, armed conflict between the army and the Kachin Independence Organization (KIO), intra-ethnic suspicion, and inter-communal violence in the Rakhine state. Some also noted a general lack of awareness among international investors and incomplete information about local businesses and their operational practices. Businesses can begin by looking to the UN Guiding Principles (GPs) for the implementation of the “Protect, Respect, Remedy” framework for promoting business and human rights.

Significant investment will be needed to build the capacity of Burma/Myanmar’s institutions, including reforming laws, legal processes and practices to strengthen the rule of law, improve bureaucratic management, strengthen civil society, protect human rights defenders, including trade union leaders, and ensure free consultation based on the principles of non-discriminatory participation and inclusiveness. This applies not only to governments and development agencies, but also businesses that are considering investment in Burma/Myanmar.

Key issues raised throughout the conference included:

- The urgent need to build government capacity and knowledge, including strengthening legislative and judicial branches, especially the quality of the courts. Not only is it necessary to prepare new laws, for example on electoral issues, and draft transparent budgets, but proper application of both existing and new laws is required to promote the rule of law. While the new Foreign Investment Law is welcome, enabling

regulations for its implementation need to provide clarity. There is concern about the broad powers and discretion granted to the Myanmar Investment Commission.

- Intensive efforts are needed to bring about an inclusive and lasting peace to continuing ethnic conflicts, which will otherwise impede responsible foreign investment. There needs to be a Constitutional settlement on issues relating to ethnic nationalities and centre-state relations, and fair and equal access to resources for a sustainable development path. The capacity of regional and state governments should also be addressed.
- Corruption, which deters investment, should be tackled systematically, from both top-down and bottom-up, and a culture of integrity needs to be built. New anti-bribery legislation was enacted in August 2012. Accepting international standards for accountability, such as the Extractive Industries Transparency Initiative, which the government is willing to join, should be a priority. The business community should also accept responsibility for addressing corruption.
- There is concern about past and ongoing land disputes, including land grabbing and forced evictions, and general and specific land tenure issues. While a parliamentary commission was created to look into these concerns, it has not so far been able to examine military land appropriation.
- Other governments have a role to play. The US Government's reporting requirements on responsible investment in Burma/Myanmar is an example of good practice in this regard. Governments can also assist small and medium sized enterprises (SMEs) to implement such measures, so that they can manage their financial and reputational risks. Trade missions should help in identifying potential risks.
- There is a need to maintain the momentum for reform, but expectations also need to be managed. Consultation with and listening to local communities are crucial.

Understanding the context and the challenges

1. The process of change in Burma/Myanmar remains fluid and many challenges remain. There is an urgent need for good governance, transparency, and accountability. It was agreed that those are worthy goals, but there was some impatience among businesses which would like clarity about policies promptly. It was generally acknowledged that Burma/Myanmar is not lacking in institutions and laws. But many of the laws were enacted in the colonial era and precedents cited in court proceedings and the development of common law are now several decades out of date. Even good laws fail to achieve their purpose as the courts and the justice system in general are unable to administer the laws appropriately. Education and training of judges and lawyers are therefore crucial in order to establish judicial credibility and transparency.
2. The government has stressed the imperative for economic growth in order to meet development objectives. Creating jobs at a rapid pace has become a priority in view of the country's "youth bulge" (half the population is under 24), with a vast number of young people of employable age looking for work. Harnessing their skills is critical for economic development, and sustainable employment requires a stable economic order where business, including international capital, feels secure. Cessation of hostilities in the ethnic areas will also create the need for more jobs for former combatants. The country's youth should not only be the beneficiaries of the process, but they can lead the process, as engines of transition. Years of isolation and political repression drove many young, talented professionals out of the country; Burma/Myanmar now has to ensure that conditions continue to improve so that these individuals can return.
3. The business environment is still opaque – partly because when business operates in an environment of economic sanctions, many businesses follow the law, but some businesses think of ways to bypass sanctions. Such businesses, which may not be operating in compliance with the law, develop ways of working in a non-transparent manner. Besides, rent-seeking activities create perverse incentives to keep the environment opaque. That, it was agreed, will have to change. A "virtuous circle" of better business practices, including respect for property rights, and development of

systems that benefit local communities and local entrepreneurs, will be needed. The right type of inclusive and sustainable growth can support democratic transition and political reconciliation.

4. While the significant political changes were noted, Burma/Myanmar is not yet a democracy and is still undergoing political transition. The internal armed conflict between the tatmadaw (the armed forces) and the KIO and violence in the Rakhine state were highlighted as ongoing problems. Managing expectations is important, both domestically and internationally. At the middle and lower level of bureaucracy there is considerable resistance to and/or fear of reforms.
5. But the clock is ticking. General elections are scheduled in 2015, and it was felt that “audacious gradualism” might offer the way forward. Rather than risk a winner-take-all scenario, a more evolutionary approach based and building on the 2010 Constitution which includes ethnic groups and all parties, may be more appropriate, offering the possibility of a coalition between the old and new forces. Other countries have experienced this during their democratic transition and opted for systems such as proportional representation to accommodate diverse, competing views. Countries with a history of entrenched military government have also developed transitional systems to accommodate such interests, as in Indonesia¹. Benefit sharing and land-related disputes should be dealt with based on the principle of non-discrimination. There is the challenge of entrenched interests, such as military-owned companies and military-linked business entities. Negotiating that will not be easy. There is also the religious dimension in the Rakhine state. The Muslim community there has lived in isolation and some felt it was under the influence of religious leaders. The dispute has been politicized and the communal divide is wide.
6. Other major business risks highlighted include corruption and facilitation payments. It was said that while businesses did not have to give payments to civil servants, they would have to face repercussions, including delays, for not doing so. Corruption is a two way street. But adequate pay and benefits for civil servants must also be addressed. It was noted that many countries in Asia rank much lower in the corruption perception index, and yet, Burma/Myanmar was being singled out. On the other hand holding Burma/Myanmar to a high standard has the advantage of encouraging greater transparency.

The economic context

7. Burma/Myanmar’s strategic location is beyond dispute. It was noted that much regional trade now goes around the Burma/Myanmar land mass; this will change with new roads and railways connecting Burma/Myanmar to the rest of Asia more directly. The Dawei industrial port complex in Tanintharyi Region is a strategic location in this regard, as is Thilawa port near Yangon. A move considered deeply significant is the reform of the exchange rate. The erstwhile fixed rate recorded international earnings of state-owned enterprises, which vastly under-reported real earnings, as the official fixed rate of the kyat was six to the US dollar. Moving to a managed float rate offers the possibility of dramatic fiscal reform and broader political economy reform. Combined with Burma/Myanmar’s decision to join the Extractive Industry Transparency Initiative (EITI), these steps show that real fiscal reform is possible.
8. Questions still remain over the Foreign Investment Law, a version of which the Parliament had passed, which the President then returned to the Parliament seeking changes. Foreign investors are offered certainties such as legal guarantee against expropriation, and extraordinary tax concessions are obtainable. Other facilities such as long leases are provided. Import licensing too has been liberalized, but some key areas still have restrictions, such as jade trading. The absence of a modern banking system was also noted as a problem area.
9. Some companies in Burma/Myanmar have lobbied against liberalization, but others disagree, saying protectionist tendencies reveal a deeply-felt insecurity. Foreign

businesses come to Burma/Myanmar, it was explained, because the company felt that that particular market was not being served properly. The point was made that foreigners invest in a country because a market is not being served there in the first place. Discussion on the new foreign investment law centred around the protectionism of an earlier draft and the final version which allowed for a great deal of latitude as to what percentage of the investment could be foreign, and also provides attractive tax holidays. However new foreign investors could potentially take all the skilled labour by paying them much more, adversely affecting the local market. There was also concern at the great discretion the newly-enacted Foreign Investment Law gave to the Myanmar Investment Commission, which may not always have such a reformist head as at present.

10. If Burma/Myanmar invests wisely in developing its infrastructure, it has the potential to leapfrog over older technologies. This is particularly noticeable in mobile commerce platforms. Studies show that a 10% increase in mobile penetration can lead to a 1% increase in GDP. In this largely agriculturally based economy where most people have low incomes, mobile technology can allow quick transfer of cash between buyers and sellers. Such access to cash and credit can have a multiplying effect on the economy. There can be positive spin-offs in the health sector as well. Those sectors have obvious rights impacts, as has the impact of new technology on the right to free expression.

The business environment:

11. The Burmese Way to Socialism ended after the 1988 pro-democracy uprising. Burma/Myanmar opened up in 1990, with a new investment law and a shift to a market economy, leading to business development. But by 2005, few businesses were prospering, and corruption and cronyism had become major problems. Those with long experience of doing business in Burma/Myanmar noted that in the past year and a half the government has moved towards transparency through open bidding in public tenders. But the old political culture prevails, and local authorities lack the confidence to take decisions, as a result of which decision-making remains centralized. Greater empowerment at lower levels is necessary.
12. Burma/Myanmar's progress was also hampered by sanctions. New jobs were not created in manufacturing or agriculture. (Some 99% of recent investments are in the extractive and power sectors, which typically do not create a large number of jobs). Burma/Myanmar's challenge is to create new jobs while strengthening labour protection. Another major challenge for businesses is access to land. Businesses will need land, and the largest number of complaints the Myanmar National Human Rights Commission has received deal with land acquisition. Two new land laws provide for land titling, which is laudable in principle, but the result may be that powerful individuals register land belonging to farmers and workers, who do not have the same resources to register their land. Burma/Myanmar is placing faith in special economic zones, such as the Thilawa project near Yangon, to create new jobs. But export processing zones generally do not protect labour rights and lead to lower tax payment to the state, which can be counter-productive because it reduces resources for the state, and undermines its capacity.
13. Another challenge for foreign investors, it was noted, will be due diligence in identifying local business partners. It will require, in reality, enhanced due diligence. European and US sanctions still name individuals with whom business cannot be undertaken, and others may have links with past human rights abuses. Such enhanced due diligence will require local knowledge, basic principles of fairness, and deliberating over evidence where information is scarce. Companies will need to develop policies, practices and procedures consistent with the UN Guiding Principles² on Business and Human Rights, adopted by the UN Human Rights Council in 2011.
14. Effective rule of law is so important to investors because they need legal certainty and confidence that they will not lose their investment. Effective rule of law goes hand in

hand with economic and progressive social stability. What impedes rule of law are unpredictable discretionary powers without appropriate checks and balances. Law is not just about the framework, rules and regulations, but about the institutions that carry them out, which must be subject to detailed rules and procedures themselves. The only thing worse than no legal reform is poor legal reform; despite the urgency of implementing economic changes, there is a need to take time to draft new laws carefully.

15. While such an agenda is impressive, there are two risks – Burma/Myanmar’s capacity to carry out the reforms and the impression that “responsible investment” is an agenda imposed externally. Burma/Myanmar was described as a patient coming out of an intensive care unit. Placing it on a rigorous regimen might harm the country. By the same token, it was important that the reform process is owned by the government, businesses, and organisations in Burma/Myanmar. Additionally, Burma/Myanmar should not be made to adhere to higher standards than other countries, particularly in its region. However, some noted that the agenda for “responsible investment” was Burma/Myanmar-driven, with President Thein Sein and NLD leader Aung San Suu Kyi both calling for this.

Conflict context

16. Burma/Myanmar’s internal armed conflicts with its many ethnic nationalities drew special attention during discussions, in particular because many infrastructure and energy projects and extractive industries are planned to or already pass through ethnic minority areas. Ethnic groups have highlighted the risk posed by the presence of resources in conflict-sensitive regions. Those conflicts have lasted decades. It was suggested that a nightmare scenario involved “a semi-democratic and reasonably developed central Burma with eight civil wars on its edges.”
17. Genuine federalism, a goal shared by all minorities, offers the way forward. Business should be encouraged to help facilitate political dialogue between ethnic minorities and the government, to build lasting peace. It was also felt that ethnic groups too should note the concerns of the majority – Burman (Bama) – community. Business can also play a useful role promoting international humanitarian law. Just as lasting peace needs responsible investment, responsible investment too needs lasting peace. And the peace process is slow. Cease-fire agreements are being finalized, but substantive political dialogue is yet to take place, and a national conference is still far away.
18. As conflicts diminish, a major challenge will be finding jobs for returning internally-displaced people and refugees, and returning migrants. Major challenges for businesses investing in the seven ethnic nationality states with a history of conflict include: control over natural resources; internally displaced people, migrant workers, and refugees; landmine clearance; de-militarization, including disarmament, demobilization, and re-integration (DDR) of combatants; land rights; and job creation/special economic zones. Businesses will need to take into careful consideration the rights and concerns of local communities when investing in these border areas. As is the case in many post-conflict situations, there is much talk of a “peace dividend”. The shift from conflict-based to peace economies is an enormous challenge, and businesses can be a part of the process. At the same time it is important for businesses not to sustain divisions or contribute to new tensions.
19. To avoid being complicit in high-risk zones, companies should conduct due diligence, and avoid activities that expose them to such risks. If companies disregard them, there are other reputational risks, including the risk of litigation. One of the high-profile cases involving companies under the US Alien Tort Statute dealt with Burma/Myanmar. Other forms of pressure too have arisen, including shareholder resolutions, complaints before the OECD national contact points, and the anti-bribery convention. It was appreciated that Burma/Myanmar is making bold changes, including reforming laws, with new systems being put in place, and the world is watching.

20. To manage risks better, some companies may prefer to invest more in their joint ventures in order to exercise greater control. Only then can companies ensure that corporate policies are implemented properly, it was said. Many companies look at the UN GPs and the US State Department guidelines as the basis of a framework. The US Reporting Requirements provide further impetus to companies to create their own roadmap of reporting, to demonstrate that their conduct is consistent with the GPs.

Labour context

21. Labour shares many characteristics with other challenges facing Burma/Myanmar described above. The base is low, there is not much common understanding, and there is disconnect between high-level intent and practices on the ground. Concerns felt at the top have not percolated all the way down. Lower levels of bureaucracy are afraid of taking major decisions on their own.
22. Experts noted significant progress in dealing with forced labour, but added that problems remained, particularly in the border areas. While the pay for the military has increased, the army is still dependent on food from local areas and local communities, which exacerbates the problem of forced labour. When people refuse to undertake forced labour, their land is sometimes confiscated, adding another serious human rights dimension to the problem. That needs to change.
23. The state now publicises labour rights and awareness of rights has grown – there are now 264 workers' organisations and 13 employer organisations. Farmers have formed unions. Dismissals of those trying to organise workers have fallen. It was noted that the discussion around the rule of law applied to labour laws too. It was important to have a law of good quality, the state must have the capacity to apply it, and mechanisms need to be in place to hold people accountable under the law.
24. Many laws are proposed for enactment in 2013, including one setting a national minimum wage. But the state's ability to carry out the changes remains questionable. Lack of clarity regarding the laws has created confusion. Unions think of strikes as their first option and employers do not know how to operate in the new environment. Too many illegal strikes can create social unrest. In response, some employer-dominated unions have been registered and some anti-union sentiments have begun to emerge. Legislation needs to be framed such that its structures are consistent with international norms, allowing for mature industrial relations to develop.
25. Questions were raised about whether multinationals would use Burma/Myanmar as the base to export to other countries, or see Burma/Myanmar itself as a market; the role of voluntary codes and generalized system of preference (GSP) as an enforcer of better industrial relations; and the prevalence of child labour in domestic servitude/service. Concerns still remain about forced labour, regarding the difference between labour forced from people and labour undertaken as part of community obligations. Another dilemma businesses will face is recruitment: would preferential policies to assist under-represented minorities create disputes?
26. As for child labour, remediating measures, such as those created to deal with child labour in the manufacture of sports goods, will have to be considered. The Government too intends to address the matter as a priority. A company responded that even if it sees Burma/Myanmar as a market, and not as an exporting base, it would procure most of its raw materials and components locally. It was also felt that the European Union could build on the US reporting requirements, giving them wider currency. Special economic zones would pose a bigger problem, if their own labour inspection mechanisms are poor. Building the capacity of labour inspectors is essential.

Applying the Guiding Principles (GPs)

27. The simple and uncontroversial framework of the GPs provides the basis for introducing and defining the role of the private sector in the human rights system. Applying them in the Burma/Myanmar context is considered important because the

challenges are critical and the GPs are now becoming rapidly absorbed into other frameworks, such as the OECD guidelines and within the International Finance Corporation's requirements for project finance. The European Union is producing guidance on GPs for specific sectors, and some countries now have mandatory reporting requirements. An NGO has translated the GPs in local Burma/Myanmar languages.

28. There is expectation that home states will ensure that their companies act in a manner consistent with international standards. The US reporting requirements are not exceptional per se; other countries too have some guidance or requirements in some contexts. It was felt that the UN Working Group on Business and Human Rights should visit Burma/Myanmar. More action can also be taken in Burma/Myanmar in the area of environmental law and protection institutions.
29. The due diligence process at the heart of the GPs provides the framework to anticipate what can go wrong and what can be done to prevent or mitigate it. The true challenge lies in extending the corporate responsibility to respect to suppliers and contractors, and in Burma/Myanmar that may be a big challenge. The GPs provide guidance for responsible contracting, and companies are urged to look into those. Land acquisition, conflict management, and security arrangements, are all areas where companies will need a human rights approach, and the GPs provide the process for that. Another challenge is of cumulative impacts: where collective activities of several companies impact a community. An overarching framework covering natural resources, for example, might be more appropriate in such a context. The Government can require companies undertaking statutory impact assessments to include human rights as part of that process. It was acknowledged that such assessments are resource-intensive, and make it harder for small and medium sized enterprises to implement, and some suggested governments could assist the process.
30. An important issue to consider is the lack of adequate remedies. Burma/Myanmar does not have good dispute settlement mechanisms, and most such mechanisms operate in an ad hoc manner. There is no effective consumer protection law. While commercial disputes are mediated, there is the perception that the verdict is imposed and not the result of a process of reconciliation of claims or mediation.
31. Another challenge in implementing the GPs in Burma/Myanmar is the overall climate of fear. Is it possible for companies to consult communities in a free atmosphere, when the communities may feel that they have no reason to trust the companies and/or remain fearful of the local authorities? Finally, it was observed that the GPs do not provide a framework for development, and do not deal with progressive realization of human rights.
32. In the annals of international treaties, covenants and norms, the GPs are unique in that they were not elaborated by states and yet were approved unanimously by the Human Rights Council. They are not meant to be a compliance mechanism but present a tool for risk management to prevent harmful impacts on people. Burma/Myanmar is undergoing massive transition where social dynamics are extremely fragile. Adherence to the GPs can assist stability and be part of Burma/Myanmar's evolution; they provide a road-map. The GPs extend responsibility to both home and host states. Home states can advise, inform, guide, assist, and support businesses that act responsibly.
33. The challenge will be most acute in the context of conflict. While corruption is an important issue, building sustainable and lasting peace is going to be the more pressing issue in Burma/Myanmar. When returnees start to look for employment, its significance will be felt. Burma/Myanmar offers the unique opportunity – through the alignment of positive factors such as a Government clearly open to doing the right thing, a business community interested in contributing positively, and a willing domestic community of businesses and civil society groups – to demonstrate how the GPs can be operationalized.

Applying the GP framework to land:

34. Burma/Myanmar's context of land tenure and security is complex. Landlessness was noted as a major problem aggravating poverty in Burma/Myanmar. Many farmers follow customary laws and in hilly areas practice shifting cultivation. They do not necessarily have paperwork to prove ownership or registration. Conflict has complicated matters, with various ethnic groups and armed groups issuing their own registration titles. Many farmers have experienced conflict over land, and the country does not have a comprehensive sustainable land use policy. Inheritance laws are also unclear - in ethnic areas, women's right to property, including land, are not always adequately protected.
35. Different departments have authority over different plots of land. Farmers should be able to make greater use of their land as collateral to borrow from banks. Other key issues include:
- Legal protection is needed for shifting cultivators who do not have land title and are viewed as encroachers.
 - Legal recognition is needed to ensure that the land's potential for economic development is utilized.
 - Prioritisation for land allocation is needed for farmers.
 - Farmers should have the flexibility for crop choice and land-use change.
 - Conflict management over land issues is not administered properly.
 - Farmers have lost many old protections.
 - There is a need to recognize that land acquisition profoundly affects livelihoods.

Applying the GP framework to corruption:

36. The Government has made it a priority to participate in the EITI. Most agree that was a good decision. It was observed that developing a culture of transparency is a precondition for combating corruption, and creating such a culture will not be instantaneous because of the nature of politics and governance in Burma/Myanmar in the past. While people have not seen resources increase in the national budget, they are “extremely aware” of the revenues flowing from natural resources. There is also the complicating factor of the military’s relationship with natural resources extraction.
37. Implementing EITI will not be a simple matter. To demonstrate its commitment, the Government should consider appointing a champion as they key person in charge. However, with some extractive industries lying in territories controlled by armed groups, the principle of transparency will have to extend to those areas as well, and that will not be easy.
38. Some with experience of EITI warn that implementation is not straight forward as many processes need to be in place. Greater transparency will help counter corruption, improve strategies for development, and evolve a balanced approach to rights. A word of caution was raised though: transparency is necessary, but not sufficient, and it is not the solution – it is a tool.

The next steps

39. After years of sanctions and political isolation from leading industrial economies, Burma/Myanmar is rapidly taking steps to build a sustainable model of inclusive government oriented towards growth and placing people at the centre of the process. The Government has repeatedly said it wishes to include everyone - ethnic groups, political parties, youth clubs, media, trade cooperatives, unions, women, human rights groups, as part of the process. Awareness-raising is key. The Government sees business and human rights issues as centred on the security of the people. Job creation is a major priority. The Government is willing to listen and try out new ideas and wants to engage the broader civil society and the opposition.

40. Moving forward, Burma/Myanmar should continue to take steps towards democracy and make its growth-oriented policies consistent with democratic principles, based on transparency and accountability. Rule of law was stressed as critical in this regard – and that may mean not too many laws, but solidly-drafted legislation properly applied and enforced. Revising the Constitution would become necessary, as well as training of judges, to implement legal reforms. Foreign investment law too should be broad, reduce discretion, and depend on well-designed guidelines for implementation. Monopolies would have to go, it was observed.
41. Participants stressed that encouraging companies to invest responsibly in Burma/Myanmar is not meant to isolate or complicate Burma/Myanmar's journey to growth. The call for responsible investment comes from Burma/Myanmar itself – its Government, opposition, and civil society have all asked for it. The proposed Responsible Investment Resource Centre³ in Burma/Myanmar will act as a storehouse of information and provide space for open dialogues. Care should be taken to ensure that more tools do not add to more complexity. The international community should help build a culture based on integrity, and not only based on not paying bribes or only complying with the law.

Conclusion

The changes in Burma/Myanmar are dramatic and offer an excellent opportunity to help the country reach its development potential in a way that is consistent with international human rights standards. The international community has responded by offering moral and political support. Businesses investing in Burma/Myanmar now have a framework and a set of tools to operate responsibly. The road ahead is long and tough and there will be problems along the way. But it is important that the focus stays on the goal, so that Burma/Myanmar reaches its potential; companies are able to operate profitably; and protection of human rights improves for all the people of Burma/Myanmar, including the ethnic minorities.

Donna Guest, Haley St Dennis and Salil Tripathi

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¹ Indonesia had a democratically elected general, and refocused military around national integrity to roll back the number of military MPs from Parliament.

² The UN Guiding Principles call for governments to protect human rights, and for companies to respect them. Corporate respect for human rights means ensuring its actions do not infringe on the rights of others. This involves companies conducting human rights impact assessments, taking corrective steps to ensure they will not be benefitting from or contributing to human rights abuses, setting internal management processes with incentives for compliance, combined with processes to track and monitor performance.

³ The proposed Resource Centre will be based in Yangon with both international and local staff. The Institute for Human Rights and Business and the Danish Institute for Human Rights will initially administer the Resource Centre, which is projected to be launched in 2013.