

GLOBAL CSR

sustainable business consulting

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NEWSLETTER ISSUE NO. 10 – SEPTEMBER 2008

FROM OUR DESK

VESTAS Wind Systems A/S; Human rights training

May 28th, GLOBAL CSR was engaged to qualify and increase human rights competence in VESTAS; the world's leading supplier of wind power solutions. The VESTAS group responsible for CSR received a full day of training and discussion on Business and Human Rights. The days training centered on the International Bill of Human Rights, and provided for a general understanding of international, regional and national human rights systems, the relevant rights for business in general and the rights of particular relevance to VESTAS. In addition, Global CSR facilitated a discussion on prevalent supply chain management models and the need to establish more sustainable approaches; and the requirements for business to act accordingly. (Please confer the editorial in this newsletter for an account of the complex of problems concerning prevalent Supply Chain Management systems)

CSR in Danske Bank A/S

On June 12th, GLOBAL CSR assisted Danske Bank with capacity building and training of core CSR resource persons. The training provided the CSR professionals with a stronger understanding of basic human rights, the UN Global Compact principles 1 – 6, their relevance for a national bank, and ideas on how human rights can be applied to further develop CSR policies and strategies. The workshop took its point of departure in an international principles-based approach to CSR; highlighting the advantages of basing CSR efforts on a framework of internationally recognized and accepted principles and priorities for sustainable development. This international principles-based approach to CSR has been recommended and practiced by GLOBAL CSR for more than 12 years and is increasingly being appreciated by Danish businesses; in particular following the presentation of the Danish National Action Plan for CSR in May. Similar to the UN Global Compact summit 2007, the Action Plan recommends a principles-based approach in order to enable the achievement of competitive advantages.

The Danish Export Credit Agency

Global CSR is presently assisting the Danish Export Credit Agency (EKF) with arranging a stakeholder consultation day; inviting customers, governmental representatives, other ECAs, and NGOs to join in commenting and debating CSR in general and in particular the newly developed CSR policy in EKF. GLOBAL CSR was also involved in developing the policy. Heads of sustainability from GE and Fortis, Bob Corcoran and Eric Bouwmeester, courteously agreed

to deliver the international key note speeches, while CEO, Joergen Moeller-Rasmussen, from the Danish timber company, DLH Group, will deliver the Danish key note. Sune Skadegaard Thorsen, Partner at GLOBAL CSR, will be moderating the event on September 22nd, introducing innovative methods for involving stakeholders in discussions.

World Bank

The assignment to develop a report providing a compilation of international best practices in the area of 'equitable access to labour markets for women' including a review of international labour law regarding regulation and in particular how such regulation relates to CSR, was extended as a consequence of the adoption and publication of the Danish National Action Plan on CSR. The report has been widened to include a description of the new Action Plan and how it was established. The plan is considered to be best practice on government involvement in CSR and could provide for inspiration for further supporting progress and development within CSR.

NEWS

The Danish Government Encourages Companies to Join Global Compact

June 11, 2008

May 14th 2008, the Danish Government presented its National Action Plan for Corporate Social Responsibility (CSR) at a press conference led by Bendt Bendtsen, Danish Minister of Economic and Business Affairs,.

The thirty-item action plan for CSR aims to ensure that the economic growth of the Danish corporate sector goes hand-in-hand with social and environmental objectives. Focusing on internationally recognized principles for corporate responsibility, the Action Plan explicitly encourages Danish companies to join the UN Global Compact. Moreover, it urges Danish investors to support the UN Principles for Responsible Investment (PRI).

The action plan has four objectives and key areas of focus:

- To increase 'business-driven social responsibility' – also known as 'strategic CSR'.
- To promote social responsibility through state activities.
- To strengthen corporate responsibility in relation to climate changes.
- To market Denmark for responsible growth.

http://www.eogs.dk/graphics/Sa_mfundsansvar.dk/Dokumenter/Action_plan_CSR.pdf

http://www.unglobalcompact.org/NewsAndEvents/news_archives/2008_06_11.html

Comment:

The national push for an international principles-based approach to CSR is a much appreciated step in the quest for establishing Denmark as a frontrunner on CSR. Until now the national approach to CSR centred on supporting national governmental interests in regard to "the inclusive labour market". Initiatives on 'the inclusive labour market' offered national companies few opportunities to gain international recognition. With the new national strategy, a window of opportunity is wide open for Danish companies to gain international recognition for their efforts on CR. The platform and convergence around the international principles-based approach may well become the foundation for a plethora of best practices to materialize over the coming years.

Global fair trade sales increase by 47%

May 22, 2008

Worldwide consumers spent over 2.3 billion euros on Fairtrade certified products in 2007. This represents a 47% increase compared to 2006. More than 1.5 million producers and workers in 58 developing countries now benefit from Fairtrade sales.

Sweden and Norway were home to the fastest growing markets for Fairtrade with increases of 166% and 110% respectively. Despite annual average growth rates of 40% per year over the last six years, there is still plenty of room and need for further growth. It is estimated that only 20% of the total production of Fairtrade certified producers is sold under Fairtrade labels.

Fairtrade Labeling Organizations (FLO) International and its member Labeling Initiatives are working to open new markets and identify new business opportunities for producers

[http://www.fairtrade.net/single_view.html?&cHash=ec8730e426&tx_ttnews\[backPid\]=168&tx_ttnews\[tt_news\]=41](http://www.fairtrade.net/single_view.html?&cHash=ec8730e426&tx_ttnews[backPid]=168&tx_ttnews[tt_news]=41)

Comment:

This increase demonstrates the strong global trend in ethical consumption and a growing number of "political consumers". Consequently, timing is right for the various fair trade initiatives to use this significant progress to converge standards and in particular consider impact on all human rights; as recommended by the UN Special Representative of the Secretary General on Business and Human Rights, John Ruggie, and seconded by the UN Human Rights Council. Presently, there is e.g. a broad focus on enabling democratic participation, increasing transparency, and on maintaining sustainable livelihoods for both producers and workers. Notwithstanding the need to avoid an increasing number of hoax labels, the fair-trade movement could benefit from the establishment of a

global level playing field on human rights for business. Trade cannot be deemed fair before its able to demonstrate that producers respect the full range of human rights.

World day against child labour

June 12. 2008

On World Day against Child Labour, the Global Compact encourages participants and Local Networks to take action to combat child labour. Launched in 2002 by the International Labour Organization (ILO), the World Day against Child Labour aims to raise awareness of the problem and to focus attention on actions required to tackle it. This year, the theme of the World Day is "Education - the right response to child labour", highlighting the importance of enhancing the right to education in order to reduce child labour and promote economic and social development.

http://www.unglobalcompact.org/NewsAndEvents/news_archives/2008_06_12.html

Comment:

This event will hopefully provide a forum for discussions on the dilemmas concerning the employment of child labour in manufacturing. The classic discussion on the potential severe consequences of terminating employment or pulling out rather than staying and providing alternative opportunities and education for the child workers is well-known. The challenges in relation to exploitative child labour is however still massive; discussions needs to take place in international forums, in organisations and in companies to identify solutions to the structural challenges that are prevalent where child labour exists. However, as highlighted by the objective of the day, action is needed; results to date are disappointing. Human rights violations by corporations cannot and should not be accepted.

Chevron Lobbies White House to Pressure Ecuador to Stop \$12 Billion Amazon Pollution Lawsuit

August 05. 2008

Chevron is being accused of promoting geopolitical blackmail in its efforts to starve off a lawsuit accusing it of contaminating the Ecuadorian rain forest. Nearly 30,000 Amazon residents are seeking compensation amounting to \$12 billion from Chevron for dumping billions of gallons of toxic oil waste. According to *Newsweek*, the oil giant is urging the Bush administration to pull special trade preferences for Ecuador if the country's government does not force the Amazon residents to drop the case. If the White House agrees, it would allegedly be the second major lobbying victory for Chevron in just a matter of weeks. Last month, the Senate dropped an effort to penalize Chevron for maintaining extensive ties to the military junta in Burma.

http://www.democracynow.org/2008/8/5/chevron_lobbies_white_house_to_pressure

Comment:

This case demonstrates well the interconnectedness of the international principles. An alleged breach of the prohibition on bribery and corruption to escape accountability for environmental damages apparently lead to violations of residents basic human rights. If the accusations are true, Chevron demonstrates well worst practice on applying Global Compact's 10th principles to its business. The angle taken by *Newsweek* discussing unethical lobbying efforts touches upon a major issue for coming years' CR developments; the effects of corporate lobbying. Are CR commitments becoming genuinely incorporated into corporate practices? Will social and environmental impact be considered when corporations lobby for their economic interests? Or may we even experience lobbying for sustainable social, environmental and economic development by corporations?

UN Global Compact: 630 companies delisted as part of integrity measures

June 25. 2008

630 companies have been removed from the list of participants for failure to communicate on progress in

relation to the UN Global Compact (UNGC) principles.

The delisting policy was first implemented in January 2008, when 394 companies were removed from the participant list. Since then, an additional 236 companies have been delisted.

"This helps protect the integrity of the initiative as a whole, while also protecting the engagement of seriously committed companies", says Georg Kell, Executive Director.

The list of delisted participants contains no Danish companies.

http://www.unglobalcompact.org/NewsAndEvents/news_archives/2008_06_25.html

Comment:

The integrity measure of delisting members served to meet the many NGO accusations of UNGC 'blue washing' companies that sign up to UNGC without real intentions to implement the principles; and although NGOs would still claim that the 'Communication on Progress' (CoP) requirement is far too soft, it is obvious that the measure has motivated member corporations to engage more diligently with the principles. Corporations are embarrassed to state publicly that they had no progress or that they have little understanding of the principles. The measure thus motivates members to engage more deeply with the principles. The Danish Government's Action Plan for CSR, launched in May 2008, employs a similar strategy but expands the scope. As part of the plan the 1,000 largest Danish corporations shall, according to a coming proposal for amendments to the Act on Annual Accounts, provide for annual statements along the lines of the UNGC CoP. Corporations may declare that they do not engage with CSR, but if they are too embarrassed to state this publicly they are, according to the draft Bill, obliged to follow a list of prescribed issues to account for. The issues included are inspired by the CoP reporting recommendations. It is likely that the changes to the Act will increase the membership of Danish corporations to the UNGC considerably. Since at least 1,000 Danish corporations are expected to consider their impact in relation to the UNGC principles and the vast majority are expected to report related

activities, they may as well use the platform provided by the UNGC for promotion.

Major U.S. Internet companies agree on a code of conduct for operating in repressive countries

August 4, 2008

Google, Yahoo and Microsoft claim to be close to finishing a voluntary code of conduct for doing business in China and other countries that censor the Internet; a project that was initiated in January 2007. The corporations state they have agreed on principles for 'protecting and advancing the enjoyment of freedom of expression and privacy globally.'

The issue of Internet access at the Beijing games flared last week, when the Chinese government blocked access by foreign journalists to some international human rights websites. After complaints, Chinese officials stopped the blocks, but only for journalists. Chinese users still cannot access websites that display information critical of the country's government and face constant monitoring of their Web activities.

Google, Yahoo and Microsoft have been on the defensive about their Internet operations in

China ever since the US Congress held a high-profile hearing on the issue in 2006. Yahoo has faced the most criticism. Chief Executive Jerry Yang was pilloried by lawmakers and publicly apologized during a hearing last fall for providing Chinese officials with the identity of a journalist from his e-mail address in 2004. The journalist, Shi Tao, was sentenced to 10 years in prison for divulging state secrets.

There's still more work to be done. Details of the code must be approved by top officials of all participating companies and organizations. But the initiative is expected to be ready for launch this fall; sometime after the Olympic torch in Beijing has been extinguished.

See <http://latimesblogs.latimes.com/technology/2008/08/major-internet.html> and <http://latimesblogs.latimes.com/technology/files/GoogleCodeLetter2.pdf>

Comment:

In response to intense criticism for providing Chinese officials with personal information, the centre of attention in the code of conduct, is on freedom of expression and privacy. Corporations like Google, Yahoo, Microsoft and any other technology and information providers were ill advised to focus their human rights

considerations on core labour rights only; although non-discrimination, freedom of association and the prohibition against child- and forced labour are all important human rights considerations, corporations are obviously subject to criticism under all human rights as listed in the framework recommended by UN SRSG, Prof. John Ruggie. Adequate risk management thus requires due diligence in relation to all universally agreed rights. With the current proposed code of conduct a few additional rights are addressed – rights that are clearly of relevance to the core business of the participating corporations. An international principles-based approach to CSR would have revealed the challenge before criticism mounted in China. The approach taken by these internet providers can thus be described as reactionary rather than proactive. Overall guidance to CSR by the International Covenant on Civil and Political Rights and rights in the International Covenant on Economic, Social and Cultural rights would reveal additional challenges and opportunities for business in general and to this sector in specific. Rights such as the right to take part in cultural life and the right to enjoy scientific progress are probably next in line of rights that will emerge as challenges for the sector or under pressure in certain states.

EDITORIAL

Sustainable Supply Chain Management 3.0

- Why a 3rd generation supply chain management model is needed...

In discussions with governments, large corporations, employers' and workers' associations, NGOs and various multi-stakeholder initiatives, Global CSR raises the question of how to improve current approaches to supply chain management. Existing approaches to supply chain management have demonstrated multiple flaws. For the purpose of clarification previous approaches to supply chain management are grouped as 1st and 2nd generation approaches. This editorial asks for the development of a Supply Chain Management approach revised – *Supply Chain Management 3.0*.

Many challenges, as listed below, exist for 1st as well as 2nd generation supply chain management, however the greatest challenge in relation to prevalent supply chain management practices is the apparent exclusion of small and medium-sized enterprises (SMEs) from corporate value chains. SMEs have limited financial and managerial resources and face difficulties in answering elaborate requirements or requests to pay and deliver certifications either through industry established clearing houses or corporations themselves. As a result large reputable suppliers are often chosen over SMEs.

As corporations would appear to implement supply chain management more rigorously in relation to suppliers in economic developing countries, the effect is a clash between the effects of CSR management (in relation to suppliers) and the goals of the international development community that seek to build sustainable business environments focusing on SME development

Thus, on the one hand supply chain approaches may exclude SMEs from global value chains; on the other hand Development Agencies spend tax-payers' money to build the capacity of SMEs to increase growth e.g. through participation in global value chains.

Supply chain management 3.0 is a vision of how to enhance sustainability, scale up existing supply chain initiatives and prompt closer collaboration between private and public sectors.

Supply Chain Management 1.0:

In Supply Chain Management 1.0, corporations develop, monitor and audit compliance to their own codes of conduct detailing the standards which suppliers shall meet; as a result a plethora of individual corporate codes of conduct are passed on to suppliers, who are forced to comply with the code(s) of the buyer(s) under contractual obligations. To ensure compliance, buyers monitor their suppliers by regular visits and some require external auditing by independent third party CSR auditors; often through spot checks. However, research has indicated that this type of supply chain management has very limited positive effect for the workers that they supposedly are designed to protect. Examples demonstrate that this approach fails to reach the most disadvantaged groups of workers such as migrant workers, women, casual workers and workers employed by third-party labour contractors.¹ Moreover, code standards are often in conflict one code to another, e.g. one code prescribes red emergency exits while others prescribe yellow emergency exits. In addition, massive resources are invested in internal structures and in employing external auditors to verify compliance with corporate codes. IKEA² claims to employ 500 persons full time whereas Wal-Mart³ claims to employ 200 persons. When it comes to the use of external auditors the problem is that local resources are rarely involved in such work. Auditors are flown around the globe and Global CSR has not yet experienced local branches of the big four⁴ accountancy firms or similar institutions in economic developing countries that were commissioned to do the assessments. Notwithstanding the main challenge to the impact on SMEs, this editorial question whether these vast amounts could be spent more wisely building capacity with the local authorities to monitor compliance in relation to universally agreed minimum standards (see description of Supply chain management 3.0 below).

Supply Chain Management 2.0:

BSR introduced the term Supply Chain Management generation 2.0 in its brilliant report 'beyond monitoring'. The report does refer to the need to build capacity with local state authorities, but Global CSR finds the recommendations somewhat vague in this regard. For the purpose of clarification Global CSR uses the term 2. generation Supply Chain Management to describe industry or Multi-stakeholder initiatives such as the Business Social Compliance Initiative (BSCI), the Ethical Trading Initiative (ETI), Social Accountability 8000 (SA 8000), Fair Labour Association (FLA) and the Electronic Industry Code of Conduct (EICC). Thus, this approach to supply chain management is characterised by corporations creating common industry codes of conduct to mitigate the adverse effects of the wealth of individual codes - also known as 'code-mania' - of supply chain management 1.0. Moreover, the approach shifts focus from monitoring compliance to building the capacity of suppliers. To avoid code-mania, to cut costs and speed up efficiency for suppliers, common industry codes are developed and often a common 'clearing house' is established to take care of

¹ See e.g. Barrientos, Stephanie & Smith, Sally: Report on the ETI Impact Assessment 2006: The ETI Code of Labour Practice – Do Workers Really Benefit? Institute of Development Studies, University of Sussex, 2007. Available at www.ids.ac.uk/UserFiles/File/poverty_team/PB35.pdf and <http://www.ethicaltrade.org/Z/lib/2006/09/impact-report/index.shtml> . Retrieved August 4, 2008.

² According to the CSR manager at IKEA as stated at the "Supply chain 2.0" Conference in the Confederation of Danish Industries (DI), Copenhagen, January 2008

³ According to Wal-Mart <http://www.reports-and-materials.org/Wal-Mart-response-re-China-Labor-Watch-report-29-Jul-2008.doc> . Retrieved August 4, 2008.

monitoring and accreditation of suppliers. The advantages are obvious compared to generation 1.0 since the suppliers merely have to comply with one code and the buyers can share the costs and experiences of monitoring and auditing the suppliers. Moreover, the focus on building capabilities instead of 'pass or fail' audits contributes to sustainable development to a higher degree than supply chain management 1.0. However, small and medium-sized suppliers continue to face the risk of being excluded especially when suppliers bear the main costs of accreditation or the codes are too rigorous or voluminous to manage. This poses a challenge to the objectives of sustainable development.

Main Concerns in relation to Supply Chain Management generation 1.0 and 2.0:

- SMEs are excluded from corporate supply chains,
- Research into the effects of supply chain management interventions appears to demonstrate relatively little actual impact on workers and other stakeholders' situations; it may well be the result of the focus of supply chain management on the reputation of the buyer's brand as opposed to the life situation of those affected by supplier actions or omissions,
- Mainstream, 1st generation supply chain management approaches lead to 'code-mania',
- Traditional corporate sourcing strategies and purchasing practices have been identified as some of the primary impediments to ensure adequate standards with suppliers,
- The enormous number of corporate suppliers and sub-suppliers, often amounting to tens of thousands for a single buyer, render non-discriminatory, transparent, accountable and independently verified supply chain management less than cost efficient, if not - de facto - impossible,
- Most supply chain approaches limit themselves to a few basic human rights not acknowledging the indivisibility, interdependency and interrelatedness of human rights to secure human dignity,⁵
- The risk considerations behind many mainstream supply chain management approaches could be perceived as 'imperialistic' in essence.

Possible Solutions - Supply Chain Management 3.0:

The primary novelty in a proposed 3. generation approach lies in creating partnerships between international buyers, the local state authorities, and also involving development agencies. The possible roles of suppliers, business associations, trade unions, NGOs and multilateral organisations should also be considered. The vision is to build local state capacity to carry out monitoring and at the same time build capacity in businesses in certain geographical sourcing areas including current suppliers to the international buyers. With regulations and standards in place in a given country, efforts should also be made to improve implementation through governmental monitoring. The funding is to be provided by development agencies whereas international buyers can create leverage with governments and authorities as well as deploy skills for capacity building. Buyers should continue direct capacity building with suppliers, but should also engage in capacity building of local authorities ensuring that all businesses, also SMEs, in a given geographical area enjoy the results. Elements of such an approach have been tested successfully in the ILO project 'Better Factories Cambodia'⁶, which form part of the IFC/ILO initiative 'Better Works' and is under development in the 'Ghana Business Code Clearing House'⁷. However, a full blown pilot case is yet to be established to pinpoint the specific challenges and the advantages of the approach.

⁴ The Big Four are: Deloitte Touche Tohmatsu, PricewaterhouseCoopers, Ernst & Young and KPMG

⁵ In the recent framework provided by the UN through the UN Special Representative of the Secretary General on Human Rights and Business, John Ruggie, the adherence to only a few human rights standards are described as inadequate risk management since risks occur in relation to all rights.

⁶ See <http://www.betterfactories.org/> . Retrieved August 4, 2008.

⁷ See <http://www.ghanabusinesscode.com/> . Retrieved August 4, 2008. A project supported by the Danish development agency Danida.

The proposed approach must be based on existing 'best practice' code provisions; an authoritative UN translation of international human rights obligations that relates not only to governments, but also to business needs to be developed. Such a standard describing a set of minimum requirements for corporate behaviour in relation to all human rights, including labour rights, is expected to emerge soon. A first proposal for a set of 'essential steps' on human rights for business is expected this winter from the Business Leaders Initiative on Human Rights (BLIHR) and the UN SRSG, John Ruggie, is charged with developing proposals for the making the responsibility of corporations to 'respect' human rights operational.

It should be obvious that the duty to protect against human rights violations from business lies with governments. Business should insist on effective implementation of this duty creating CSR risk free areas where the application of elaborate and expensive supply chain management approaches are not necessary. Generation 3.0 Supply Chain Management holds the potential to address the negative consequences of generations 1.0 and 2.0, i.e. SME exclusion from global value chains, while establishing sustainable models for social development.

UP-COMING EVENTS

International Conference on Corporate Social Responsibility: *Power & Principles in the market place*
September 12-14, 2008, Copenhagen, Denmark
http://www.cbs.dk/forskning_viden/konferencer/ethics

The 2nd Annual European Anti-Corruption Summit
6-7 October 2008, The Hague, Netherlands
<http://www.ethicalcorp.com/ethicseurope/>

International Conference on Corporate Social Responsibility, Business Responsibilities for Human Rights, and International Law: *Where do we go after the final report of the SRSG on Human Rights and Business?*
6-7 November 2008, Copenhagen, Denmark
http://cbs.dk/nyheder_presse/arrangementer/2008/november/2008_11_06_08_30_00_where_do_we_go_after_the_final_report_of_the_srsq_on_human_rights_and_business

CSR ASIA SUMMIT 2008;
3-4 November 2008, Bangkok, Thailand
<http://www.ethicalperformance.com/pages/eventsList.php?region=asiapacific>

International Seminar on Business and Human Rights
4-5 December 2008, Paris, France
<http://www.anniversaryseminar.org/>

LITERATURE/LINKS

Buried treasure: Discovering and Implementing the value of Corporate Social Responsibility by Caleb Wall
<http://www.greenleaf-publishing.com/productdetail.kmod?productid=2761>

Corporate Social Responsibility by Adam R. Timpere, 2008, Novo Science Publishers Inc
http://www.amazon.com/Corporate-Social-Responsibility-Adam-Timpere/dp/1604562846/ref=sr_1_1?ie=UTF8&s=books&qid=1218698734&sr=1-1

CSR-ledelse by Peter Haisler and Anders Holbech, 2008, Børsens Forlag
<http://www.saxo.com/dk/item/peter-haisler-csr.aspx?searchkeyword=CSR-ledelse+%&searchcategoryid=5197&searchurl=%2fsearch%2fsearch.aspx%3fkeyword%3dCSR-ledelse%2b%26categoryid%3d5197%26pageid%3dbooks>

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