

A GUIDE FOR BUSINESSES OPERATING IN MYANMAR TO RESPECT HUMAN RIGHTS

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Produced by Conyat Create

I. Background

A Guide to Respect Human Rights ('Guide') was developed with the primary purpose of providing businesses operating in Myanmar with practical information to support respect for human rights. In light of the current events, businesses can go beyond their fundamental responsibilities and increase the support of respecting and ensuring the human rights of workers and their families by recognising urgent risks, understanding the needs of their workers, and supporting workers' safety and security. Businesses can play an important role in supporting the fundamental human rights of workers, their families, as well as reflect the commitments in their human rights statement, meet the [United Nations Guiding Principles on Business and Human Rights \(UNGPs\)](#) and legislative framework.

This Guide provides a list of recommendations to help businesses meet their commitments to respect human rights and apply a lens of responsibility, take meaningful action to support the safety and security of workers, manage reputational risks, and maintain a social license.

This Guide reflects international best practices as well as actions that various businesses have taken. Deskbased research, social media analysis, and informal interviews were conducted to inform this Guide. Under the UN Guiding Principles on Business and Human Rights, all businesses have a responsibility to respect human rights in connection with their own operations and their extended value chain.

II. About this Guide

This Guide identifies three key areas for businesses to strengthen their ability to respect human rights through short and long term actions:



This Guide primarily focuses on the salient human rights risks that have emerged since the declaration of a state of emergency on 1st February. In recognition of the innumerable harms that have been inflicted on the people of Myanmar, note that these recommendations may not account for all harms.

During heightened social and economic instability, it is especially important to consider the connections between human rights and your business operations in Myanmar. Your business is likely to play an important role in affecting the conditions of your workers, your stakeholders, and actors at various levels in your operations and supply chain. By taking steps to understand your businesses' capacity to respect human rights and taking actions to respond to the needs of workers, you can support the wellbeing of the society in which your business operates.



Throughout the Guide, actions that can be taken immediately are indicated with the icon on the left.



III. Define Your Responsibility and Capacity

The following questions are intended to help you understand your businesses' responsibility to support human rights, identify your capacity to do so, and know the benefits that the outline in this Guide can provide to your business and your stakeholders:

- 1 What responsibilities does your business have to act under the UN Guiding Principles on Business and Human Rights? What moral obligations or social incentives does your company have to act responsibly?
- 2 Which human rights related areas in and out of the workplace could be the areas where your workers and other potentially affected stakeholders could be impacted in the most harmful way?
- 3 How might failing to act in response to urgent human rights issues impact your reputation, investments, and relationship with your workers and stakeholders?
- 4 What repercussions might your business have from your shareholders, your executive board, the media, and advocacy groups if you do not defend human rights despite being given the opportunity to do so?
- 5 What kind of actions could your business take, alongside others, to build leverage, mitigate, and prevent salient human rights risks from materialising into impacts? Are considerations for remedy relevant?



1. Ensure Workers' Safety and Security

1.1. Engage in Dialogue with Workers

Communicate with your workers to understand what type of support they need through regular check in calls or messages. If your workers require additional support provide them with examples of how you can support them.



Maintain open communication with workers so that your business can:

- Have a greater understanding of workers' needs and help workers feel understood by their employer.
- Provide time and space for peaceful protests. If operations need to be temporarily halted to enable workers to engage then consider providing pay regardless.
- Allow additional leave and sick days and create flexible working schedules through dialogue with team members.



In order to maintain open communication, your business can:

- Establish emergency contacts and safety numbers for workers to call. It is important to prepare an emergency procedure for workers to check in on a daily basis to confirm their safety. For example, set up a Signal or Telegram group for workers to message and check-in or if possible have each department manager follow up with their team.
- Remind employees to have all important phone numbers stored in their phones and memorise key/emergency contact numbers.

1.2. Support Safety and Protection of Workers In and Out of the Workplace

- Re-organise key departments in order to prevent burnout in some departments and distribute workload to those with more bandwidth.
- Offer virtual first aid courses and provide a list of videos about first aid and safety.
- Ensure the company's Health and Safety procedures considers an evacuation plan for workers in the building should the safety of the office be compromised.
- For colleagues working from home, provide guidelines on how to protect themselves indoors in case of shootings, lootings, fires, etc.



Support the choices of workers to move to a safer place, such as a family village, through paid or unpaid leave.

- Provide or subsidize resources for medical, legal, and psychological aid.



Ensure workers have access to information on safe protesting or support workers access to personal protective gear in the case that there is a breach of a worker's personal safety if they choose to engage in public protests.



Ensure workers are aware of practices related to digital safety. Advise them to carry an unsmart phone when they go out or no phone at all if they are carrying information that puts them at risk.



The following legal institutions may be able to assist your company and workers:

Bago Division:

LCM 09894120925
IBJ (Taungoo)
05423630

Irrawaddy Division:

LCM 09260338726
ILF 09979873776

Magway Division:

LYU 09974792898
09785631200
09778631048

Mandalay Division:

ILF 09441269760
LCM 09798673014
IBJ 09427590798

Shan State:

ILF (Lashio)
09447714495
LCM (Lashio)
09251441336
IBJ (Headquarters)
09955383766
09266684449
IBJ (Taunggyi)
09449884488

Kachin State:

LCM 09979197420

Kayah State:

LCM (Loikaw)
09407376736

Mon State:

LCM 09773196618

Naypyidaw:

IBJ 09897182002

Rakhine Division:

ILF (Sittwe)
09268006585
LCM (Sittwe)
09250883064
Thazin (Sittwe)
09456256262
LCM (Kyaut Phyu)
09891629717
Thazin (Ann)
09766030042

Yangon Division:

ILF 09970680153
LCM 09266684448
LCM (Hlaing Tharyar)
09449919126



1.3. Promote Mental Health and Well-Being of Workers

- Consider providing your workers with access to mental health services and psychosocial support. Workers are likely experiencing post-traumatic stress, symptoms of shock, and survivor guilt. Investing in the rehabilitation and recovery of workers will help them be productive and sustain their livelihood when they can return to work.
- Establish an internal hotline for workers in distress.



The following mental health services may be to assist your workers:

- [Citta Consultancy](#)
- [Quality Clinic\(qualityclinic@gmail.com\)](#)
- [Serenity Counselling and Psychological Services](#)
- [Myanmar Clinic Psychological Consortium](#)
- [Marble Psychological Services](#)
- [Reach Out Myanmar - Psychological and Consultancy Services](#)
- [Metanoia Mental Health Service and Resource Center](#)
- [Counselling Corner](#)

1.4. Encourage Cohesion Among Workers



Have a discussion about the use of social media. Encourage workers to critically review the reliability of information before sharing it including whether the information is verified, and what the impacts could be of doing so.



Discuss ‘social punishment’ and its impact, and how it relates to company values concerning discrimination, harassment, and freedom of expression. Require workers to remove references to their employer if they choose to engage in social punishment. Make clear that social punishment when practiced against coworkers, will result in disciplinary action for harassment and bullying. A hotline can be established to collect claims of discrimination and harassment. Provide support for workers who are subject to harassment.

1.5. Offer Alternatives to Salary Payments

- If providing timely or cash payments continue to be a challenge due to local economic circumstances, consider providing the following in lieu of or in addition to salary payments:



Food packages for individuals/families (ie. staples, canned food, a supply of fresh foods, baby formula, etc.)



Hygiene products (soap, disinfectant, menstruation products, washing powder, diapers)



Other basics (vitamin supplements, batteries, power banks, locks, candles)





2. Leverage Operations to Respect Human Rights

2.1. Review your Human Rights Statement & Policy



A human rights policy (HRP) can act as a foundation to reinforce how the business operates in an unstable environment by conveying human rights expectations of personnel, business partners, and other parties directly linked to its operations, products and services.

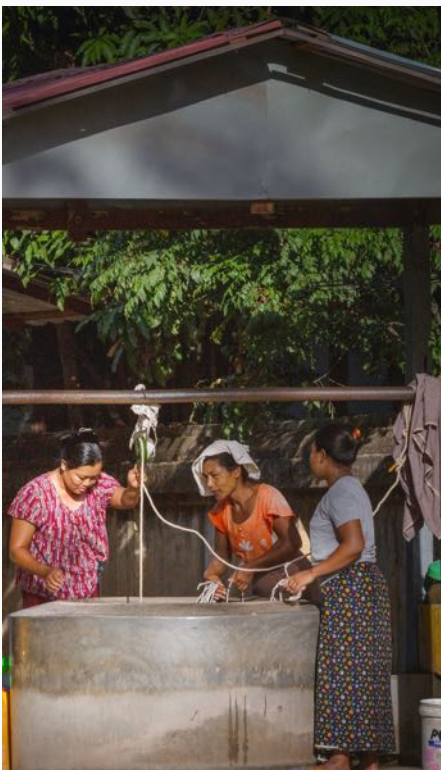


If you have a HRP in place, review it and determine the actions your business will take in current circumstances in line with your commitments.



If your company does not have a HRP, take the first step and prepare a policy to emphasize the business has a responsibility to respect human rights. A policy may support further concrete efforts to promote human rights such as awareness raising, the leadership of human rights advocacy, and operation decisions.

2.2. Conducting Human Rights Due Diligence to Determine and Understand your Operations and Supply Chain Risks



The responsibilities of your company in relation to human rights extend throughout your operations and full value chain. There may be specific human rights risks that are more urgent and more salient to your company's operations. Start by determining your connections (cause, contribute, or directly linked) to identify the human rights risks that are most salient to your company and then create priorities for addressing these risks.


- Focus on your primary or tier 1 supply chain to determine if your products or services are linked to human rights violations caused by an entity with which the company has a relationship. Where possible engage with civil society organisations to understand material factors and linkages.
- Even though the broader context in which your business operates may not immediately enable you to address human rights issues, you should still take concrete actions to contribute to the creation of social and economic networks that can support human rights going forward.

Consider the following examples of business actions and inactions with direct impacts on human rights. Use these examples to help identify what your company's human rights impacts are and determine ways to address them given your impact and capacity.



Examples of how business activities can impact human rights:			
Action/ Inaction	Collaborating with military or military- backed entities	Calling public security forces to manage workplace related issues	Not supporting workers' decision to protest or physically preventing them from doing so
Potential Outcomes	Inadvertently financing military activities that harm civilians	Possible arrest, detention, injury or death of workers	Prevents workers from exercising free will and creates conflict between workers and employers
Human Rights at Risk	Right to life and health	Right to safety and security and right to life	Right to freedom of expression and right to peaceful assembly

2.3. Monitor Communication and Social Media

- Collaborate with other businesses in your industry to monitor social media postings related to your brand and products so that promotions of your brand and products do not conflict with or contradict your company's commitment to respect human rights.

 Use social media to show your company's commitment to the safety and well-being of your workers and express respect to their right to peaceful assembly.

Examples of actions you can take are:

-  Ask workers to make a disclaimer on their social media postings that their views do not represent their employer.
-  Monitor social media postings on company products or brands to ensure that individuals who condone human rights abuses do not associate themselves with your product and prevent social shame.
 - Work with a contractor to help manage your PR and communications if this expertise is not available internally.
 - Encourage workers to prevent the spread of fake news and monitor the potential spread of fake news about your business and current events.





3. Give Business Support to Human Rights Advocacy

There are a number of private and public sector initiatives that your company can support as a means to further uphold its responsibility to respect and promote human rights.

3.1. Engage with Affected Stakeholders

Maintain continuous dialogue with all affected stakeholder groups to determine effective strategies and actions to promote human rights. Consider engaging with Civil Society Organizations working on human rights.

3.2. Encourage Collective Action

Solidarity with other businesses and organisations can increase your positive impact.

- Use business leverage to promote these freedoms at the suppliers' level.



Advocate against the penalisation, victimisation or targeting of trade union representatives.

- Engage in industry associations or business associations that encompass multi-sector stakeholders, grant access to networks that can amplify your business's voice, efforts and activities.
- For multinational companies with an overseas presence, consider engaging in direct advocacy by leading awareness campaigns or distributing resources to those who are voluntarily or involuntarily without employment in Myanmar.
- Together, advocate for a prosperous business environment that is built on the rule of law, respect for human rights, and unrestricted flow of information. Supporting one another, sharing practices, and ensuring a shared commitment to international human rights standards can contribute to democracy in Myanmar.



The following actions can be taken to advocate support for human rights:



Sign the 'Statement by Concerned Businesses Operating in Myanmar' by MCRB.



Engage with embassies and business chambers to discuss and share actions to take.



Engage with suppliers to discuss and prioritise actions to ensure safety and security of workers. Encourage to adhere to Myanmar and International Labour laws and standards

3.3. Support Organisations that Provide Basic Needs

The ongoing COVID-19 pandemic has devastating impacts on local livelihood and health infrastructure, which have been further compromised by recent political instability. Consider making donations to organisations providing food, clothing, materials, household items, and financial assistance to families in need. Recent events have also impacted several media outlets compromising the right to information. Consider support for independent media and the initiatives they are leading.

A non-exhaustive list of organisations you can donate to include:

- [Food Not Bombs by Rebel Riot](#)
- [I Do Nation by Doh Eain](#)
- [Support Myanmar](#)
- [Rice for Families in Need by Bokashi](#)



A non-exhaustive list of independent media sources you can donate to include:

- [Frontier provides a subscription to receive daily briefs](#)
- [Frontier Donations](#)
- [Myanmar Now](#)
- [Irrawaddy](#)



About Conyat Create

Production of this Guide was initiated by Conyat Create, a women-led social and environmental consulting firm. Founded in 2017, Conyat Create provides businesses in Myanmar with the tools and services to create a positive impact on communities and the environment they depend on.

The Guide was developed by Conyat Create with contributions from Seher Cam (Independent Consultant), Nicole Tu-Maung (Independent Researcher), and Anna Triponel (Strategic Advisor, Triponel Consulting).

In light of the evolving situation in Myanmar, this Guide will be periodically updated to reflect the most relevant information. Businesses are invited to contact Conyat Create and contribute their practices to this Guide. Please direct any questions or concerns regarding this document to inquiry@conyatcreate.com.



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