



Minute of the Training
on Business and Human Right, and Corporate Social Responsibility (CSR)
for Commune Councillors and NGOs in Ratanakiri province

7-8 February 2017

At Ratanakiri Boutique Hotel



1. Introduction

Ratanakiri province has been prioritized by the government for mining and agro-industrial development, due to its rich natural endowment. It is a part of the Triangle Development Plan for Cambodia, Lao and Vietnam's economic integration. A significant number of economic land concessions and mining concessions have been granted in this province.

Through the **“Gender Transformative and Responsible Agri-business in Southeast Asia (GRAISEA)”** programme, DPA and NGO network in Ratanakiri have engaged more constructively with private sector to influence business practices in responsible manner. This initiates the multi-stakeholder meeting between provincial authorities, the agri-business and mining companies, and the NGOs to discuss good practice and lesson learn from the national and international guidelines related to responsible business. These principles highlight human right respect, social and environmental safeguards that could harmonise between Project Development Operator (Investment Company) and the beneficiaries of the project (the negative and positive impact of communities) on the social, economic and environment conducive of both transparency and business ethic. In addition, we have learnt and shared experience among the relevant stakeholders through public forum, field visit to six company's sites. We conducted meetings with companies to reflect on their good CSR practices, and developed plan on CSR practices on quarterly basis between the concerned parties to address challenges faced by the CSR implementation.

In line with that, Cambodia's current laws and regulators do not adequately address problems and remedy arising from the large scale development projects. At global level, in 2008, the Special Representative's proposed the Human Rights Council unanimously welcomed the “Protect, Respect and Remedy” policy framework, which was endorsed in 2011, ***the Guiding Principles on Business and Human Right***. The OECD¹ is currently undertaking an Investment Policy Review of Cambodia in co-operation with the Council for the Development of Cambodia, covering three of the policy areas: responsible business conduct, green growth, and development co-operation in support of responsible investment. In Cambodia, the Office of the High Commissioner for Human Rights has raised awareness of the Guiding Principles on Business and Human Rights, implementing the United Nations “Protect, Respect, and Remedy” Framework for relevant stakeholders.

Concerning the human rights impacts and challenges arising from development projects in Cambodia and in an effort to promote human rights respect and corporate accountability to human rights, DPA and the Network members at provincial level, provincial authorities, and Cooperation Committee for Cambodia, with the support from OHCHR-Cambodia, are jointly organising a training workshop on “CSR; and Business and Human Rights” for commune councils and CSOs in Ratanakiri province. The training aims to promote a better understanding of business and human rights, the UN Guiding Principles on Business and Human Rights, and OECD guidelines.

¹Organisation for Economic Co-operation and Development



2. Objective:

The training aimed at

1. To promote a better understanding of the relevant existing legal framework of Cambodia, UN's protect, respect and remedy framework, Responsible Business Conduct, as well as on the corporate social responsibility to respect human rights;
2. To strengthen the role of commune councils to promote responsible business practices
3. To introduce how the complaint mechanism works and success factors in private sector engagement in relation to responsible conduct.

3. Summary Outputs of the training

3.1 Participants

The two days training course was organized for 47 participants they came from five provinces Ratanakiri, Steung Treng, Mondulakiri, Kratie, Preah Vihear including 22 participants (4 women) from NGOs, 24 participants (10 women) from commune councillor from 13 communes in seven districts in Ratanakiri province and provincial hall staff in Ratanakiri province 3 people.

3.2 Methodology

To promote the participatory approach the two days training course was conducted by using the multiple methods such as presentation; sharing and reflection; exercise, small group discussion, plenary discussion, role Play and Field visit. Moreover, to ensure the quality of the training course the pre-post evaluation through expectation were applied. This training course divided into to two parts, the first part is day one the participants were joined together (NGOs, Commune Councillor and Provincial hall staff) with the same session in one training course. The part two is the second day the participants was divided into two class one class is for NGOs staff from five provinces and another class for commune councillor and provincial hall staff with different session. Please see the schedule below for more information.

3.3 Result of each session

Session: "Power Walk" Exercise to understand human rights concept:

The "Power Walk" Exercise to understand human rights concept was applied. The Responsible Business Conduct Mechanisms and the UN Guiding Principles on Business and Human Rights (UNGPs) was presented by Ms. Bophal Keat, Human Rights Officer of UNOHCHR Cambodia. She invited participants to play a "Power Walk" exercise to be more understood on what is Business and Human Rights? The participant were requested to act as policeman, indigenous people, poorest, lawyer, people with disability, excellency, education minister, doctor, man sex man, mine manager...etc and then series of questions were asked to participants to follow until the end of exercise and then Ms. Bophal reflected that people have the same right but they are living in different situation and condition. Then she conclude by focusing on the key topic which was related to "Responsible Business Conduct and Human Right".



B&HRs_UNGPs
presentations.pptx

Session: Reflection on role and responsibilities of Commune Councils

In this session the facilitator brainstormed with the participants by using the question what are the roles of Commune Councils for controlling the investment of the company in their commune? After discussion the participants have raised the challenges to the facilitators that those challenges are more on the collaboration between government, community, CSOs and company, they also raised about the company were not responsible on what they have been doing and the impact from the company investment were no remedy.

Session: Introduction to Responsible Business Conduct, CSR and Business and Human Rights

To ensure the participants are well understand on the concept of the Responsible Business Conduct, CSR and Business and Human Rights, the facilitator have introduced clearly on the definition and translation of the technical work such as:

- **RBC** = compliance with laws: e.g. human rights, environment, labor laws, tax, and bribery and corruption. It is **MANDATORY**
- **RBC** = responding to society /community expectations and concerns regarding business operations and impacts.
- **Company** response to social and community expectations of their business is often referred to as Corporate Social Responsibility (CSR) It is **VOLUNTARY**
- CSR = People, Profit, Planet – but too simplistic
- **Corporations** have responsibility for the **economic, social** and **environmental** impacts of their activities on workers, communities and society
- Now a big focus on **business impact** – on land, environment, communities, indigenous peoples, and contribution to tax...
- **Shift** from CSR to Responsible Business Conduct
- **Responsible Business Conduct** – RBC & human rights
- RBC linked to **sustainable development**

After that the facilitator follows the key content of the presentation. Please see attached file for more information.



1.RBC_Business_Human Rights_Ratanaki

Session: Responsible Business Conduct and Business and Human Rights – Focus on Due Diligence

In this session the facilitator has shared the follow the key content as below:

- Protect, respect and remedy framework
- Government protection of human right
- Business respect for human right
- Remedy
- Business and human right due diligence
- What is business due diligence
- Actual adverse business impact
- Potential adverse business impact
- How can a company respect human right?
- Understanding the impact
- Question for project developer
- Understand the project
- Business and human right advocacy



2.RBC_Human Rights_Due Diligence

Activity: Understanding Project Developers – what information do you need? Q&A

- What is the project?



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- Scope and size of the business activities? How much land is needed? What will be built?
- Will communities be resettled?
- How long will be the project last? Who will get jobs?
- Who is the project developer? Where is the company come from?
- What role will the government play in the project?
- Who is funding the project?
- Is the developer getting any special arrangements, e.g. no or reduced tax payment?
- Has a SEIA been done and available for comment?
- Has content been given by indigenous people?

Session: Using the OECD Watch Case Check and Introducing the National Contact Point Role Play







In this session the facilitator introduced the objective and the process of the role play: The objectives are 1) To plan and prepare a case using the OECD Guidelines Complaint Mechanism, 2) To prepare for and attend mediation stage with the National Contact Point. The process as below:

1. Break into three groups
2. Each Group will be given a different scenario. Read it.
3. Your case has been accepted by the relevant National Contact Point and you will go for mediation with the National Contact Point
4. You must prepare for mediation. In mediation you will be asked to:
 - a. Identify which National Contact Point your case went to, and why
 - b. Identify which chapters or provisions of the OECD guidelines have been breached
 - c. Briefly outline the adverse impacts
5. Organize your group. Appoint a lead speaker for the mediation meeting and involve others
6. Remember, mediation involves compromise. Will you compromise? Think about what you will agree to from the company.
7. Remember, not all National Contact Points are the same. Not all companies are the same in how they respond.

Session: Putting the Complaint Mechanism into Action

Activity: Group Role Play – Taking a case to a National Contact Point

At the beginning of this session the facilitator introduce on how to use the OECD watch case check and then the role play was applied by raising some case to apply including case 1 “Rockstar Mining”, case 2 “Lucky Hydropower Company” case three “Fancy Pants Garment Factory”. To play this role play the three facilitators act as company representative, lawyer of company and National contact point and a group of four participants act as community to bring a case to national contact point. Please see more detail in supported documents.

-  3.RBC_OECD
 RBC_OECD_GL_NCP
 RBC_OECD_GL_NCP
 RBC_OECD_GL_NCP
 RBC_OECD_GL_NCP
 GL_Ratanakiri_Feb_2 _Activity EN.docx _RolePlay_Scenario 1_RolePlay_Scenario 2_RolePlay_Scenario 3
-  5.
 RBC_OECD_GL_NCP_

Session: Business and Human Rights Advocacy Strategies

In this session the facilitator introduce the key topic such as: **The Power Analysis Tool, Advocacy Target, Researching the Corporation, Where to find information?, Advocacy Tips and Tools, RBC Advocacy Planning.**



4.RBC_Business_Hu
man Rights_Advocacy

RBC Advocacy Planning



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3.4 Pre-post evaluation

At the beginning of the training course participants were requested to write down three expectations on different small sticky note (one idea per sticky note) and then facilitator group it into three main categories; Responsible Business Conduct, Business and HR, and CSR application in Cambodia. And then the participants were requested to stick their blue color dot on the target as pre-test (drew on the flipchart) which showed the level of participant's understanding. This result was kept for comparing with the result at the end of the training. At the end of the training course all participant were requested to stick the red color dot again, the result showed that most of participant increase their knowledge and they committed to apply the knowledge gained for the training course to improve their work and support to community.



3.5 Training evaluation

The result of the training evaluation showed that 90% of participants satisfied and very satisfied to the training process, venue, training materials and organizer and for the duration of the training is enough for all of them.



3.6 Program schedule

Time	Activities	Responsibilities
Day 1 (7 February 2017)		
8: 00- 8:10	Registration	DPA
8: 10- 8:25	Opening remark	Mr. Mam Sambath (TBC)
8: 25- 8:40	Self-Introduction and expectation (work as pair)	Soeung Typo OHCHR
8:40-9:40	“Power Walk” Exercise to understand human rights concept	OHCHR
9:40-10:00	Tea break	
8: 40 10:00	Reflection on role and responsibilities of Commune Councils	ETEA (TBC)
10: 00- 11:30	Introduction to Responsible Business Conduct, CSR and Business and Human Rights	Serena Lillywhite
11: 30-12: 00	Plenary Discussion <i>What are the challenges, solutions/responses? What are the ‘blockers’ for achieving the solution? Who can assist and be a champion of responsible business conduct?</i>	DPA Participants
12: 00- 13:30	Lunch break	
13: 30- 15:00	Reflection on role and responsibilities of Commune Councils	ETEA (TBC)
15:00- 15:30	EIA process	Department of Environment
15:30-15:45	Tea break	
15:45-16:45	Based on the presentation: Quick Recap Activity: what was the most interesting or new thing your learnt Group discussion: For this activity work in small groups to answer the following two questions and then report back 1. How can companies improve their responsible business conduct in your province? – Give examples 2. As local councillors, what can you do to improve implementation of responsible business conduct in your province? – Give examples	Serena Lillywhite Participants
16:45-17:00	Review expectations, and Quiz	UNOHCHR / CCC
17:00-17:15	Wrap up and notification for Day 2	DPA
17:15-17:30	Suggest you put in page or paragraph break to make it clear that Day 2 will be in two groups	
Day 2 (8 February 2017)		
7: 45- 8:00	Registration	DPA
8: 00- 8:10	Opening Remarks and Objectives	DPA / CCC
8: 10 -8:45	Participant Expectations	Soeung Typo
8:45-10:00	Revisiting Responsible Business Conduct and Business and Human Rights – Focus on Due Diligence Activity: Understanding Project Developers – what information do you need? Q&A	Serena Lillywhite DPA
10:00- 10:20	Tea break	
10:20- 12:00	Introduction to the OECD Guidelines for Multinational Enterprises and	Serena



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	the complaint mechanism Activity: Using the OECD Watch Case Check Introducing the National Contact Point Role Play	Lillywhite CCC
12: 00- 1:30	Lunch break	
1: 30- 15:30	Putting the Complaint Mechanism into Action Activity: Group Role Play – Taking a case to a National Contact Point	Serena Lillywhite CCC
15:30-15:45	Tea break	
15:45-16:45	Business and Human Rights Advocacy Strategies What activities could NGOs work on together	Serena Lillywhite CCC
16.45 -17.00	Expectation review and Quiz	Soeung Typo
17.00-17.15	Evaluation	Soeung Typo
17.15-17.30	Wrap up and closing remark	DPA/CCC

3.7 List of participant

បញ្ជីអ្នកចូលរួមក្នុងកម្មវិធីសិក្សាអំពីការប្រកួតប្រជែងក្នុងការការពារសិទ្ធិមនុស្ស
ក្នុងក្របខណ្ឌសហប្រតិបត្តិការអង្គការសមូហភាព
ថ្ងៃទី ១៤ ខែ ០២ ឆ្នាំ ២០១៧
ទីកន្លែង: ភ្នំពេញ រាជធានីភ្នំពេញ

ល/រ No	ឈ្មោះ Name	ភេទ Sex	តំណាង Position	អង្គការ Institution /NGOs	ទីតាំង Location	អ៊ីមែល E-mail	ហត្ថលេខា Signature	លេខទូរស័ព្ទ Telephone
០១	កង់ សិរីរតា	ប	IT & WD	កង់ស៊ី	ក្រុងសៀមរាប	kannsayha@penlekhtmer.org		០៦៩ ២៩២ ៦៥៩
០២	លីកា សុខាភិបាល	ប	CEP	កង់ស៊ី	—			០១២២០ ៦៦៤៨ ០៩៦១ ៣៥០០៧
០៣	ស៊ីម សុផ្លី	ប	DND	—	ក្រុងសៀមរាប			០១១ ៧៦៧ ៥៧៣
០៤	កា ស៊ីមសុខ	ប	សមាជិក	—	ក្រុងសៀមរាប			០៩៧៧៧ ២២៣២៩
០៥	ស៊ីម សុផ្លី	ប	F.O	—	ក្រុងសៀមរាប			០១២ ៧៩៦ ៩៨៣
០៦	ស៊ីម សុផ្លី	ប	សមាជិក	—	ក្រុងសៀមរាប			០៩៧៦១ ៩៥០០៧
០៧	ស៊ីម សុផ្លី	ប	OM	SCW	RAT			០៧៧ ៧០៩៧៨
០៨	ស៊ីម សុផ្លី	ប	PC	weWorld	ក្រុងសៀមរាប	solchim.chek@weworld.it		០១ ៩៩៥ ៧៧៨
០៩	ស៊ីម សុផ្លី	ប	PO	FLO	ក្រុងសៀមរាប			០៩២៧០ ៧១៩
១០	ស៊ីម សុផ្លី	ប	PC	—	ក្រុងសៀមរាប			០៩៧៧០ ៧១៩



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ល.រ No	ឈ្មោះ Name	ភេទ Sex	តំណែង Position	អង្គការ Institution /NGOs	ទីតាំង Location	អ៊ីមែល E-mail	ហត្ថលេខា Signature	លេខទូរស័ព្ទ Telephone
11	តុង សំណង់	ប	PA	Mipad	Mok	tongsamnang13@gmail.com		0986156821
12	ណា ហ៊ុន ធីតា	ប	PO	HA	Rot	na.ha20@gmail.com		0121176834
13	ស៊ីម ឈន់	ប	CE	WNF	M2K	seam.savin@wfp.gov.kh		0975532498
14	ប៊ុន គាត ធីតា	ប	ED	CCD-Kmhe	KRT	ccdkrt25@gmail.com		012468834
15	ហ៊ុន សំណង់	ប	ADHOC	ADHOC	Rot	ho_samnd@yahoo.com		086363837
16	ឈន់ សំណង់	ប	ADHOC	ADHOC	Kratie	cheavkum99999@gmail.com		097555385
17	វិរិក ធីតា	ប	T.A	ETEA	Ratanak	virika82@gmail.com		0979510976
18	លីន ធីតា	ប	PA	CEPA	Rot	lannlay@camhda-cam.org.kh		066488998
19	ហ៊ុន ធីតា	ប	CLT-PC	ICSO	RAT	hborin@icso.org.kh		012285599
20	ក្រី ធីតា	ប	CF	Licadho	RTK	licadhortk@gmail.com		012714258
21	ថា ធីតា	ប	PC	PVT	STG	thalaborivat@gmail.com		077947521
22	ស៊ីម ធីតា	ប	PE	CPN+	MOK	seay2012@gmail.com		012328775



បញ្ជីវត្តមានសំណប់សិទ្ធិក្រោយពេល.....

ស្ថិតិ.....

ថ្ងៃទី.....ខែ.....ឆ្នាំ.....

ទីតាំង.....

ល.រ	ឈ្មោះសិទ្ធិក្រោយពេល	ភេទ	តំណែង	ទីតាំង			ថ្ងៃ	ហត្ថលេខា		លេខទូរស័ព្ទ
				ភូមិ	ឃុំ	ស្រុក		07/02/2017	08/02/2017	
1	តុង សំណង់	ប	PA	ភូមិ ១	ឃុំ ១	ស្រុក ១	07/02/2017			0929285593
2	ណា ហ៊ុន ធីតា	ប	PO	ភូមិ ២	ឃុំ ២	ស្រុក ២	07/02/2017			0976016944
3	ស៊ីម ឈន់	ប	CE	ភូមិ ៣	ឃុំ ៣	ស្រុក ៣	07/02/2017			071963899
4	ប៊ុន គាត ធីតា	ប	ED	ភូមិ ៤	ឃុំ ៤	ស្រុក ៤	07/02/2017			0925742166
5	ហ៊ុន សំណង់	ប	ADHOC	ភូមិ ៥	ឃុំ ៥	ស្រុក ៥	07/02/2017			071654845
6	ឈន់ សំណង់	ប	ADHOC	ភូមិ ៦	ឃុំ ៦	ស្រុក ៦	07/02/2017			088238600
7	វិរិក ធីតា	ប	T.A	ភូមិ ៧	ឃុំ ៧	ស្រុក ៧	07/02/2017			0882913203
8	លីន ធីតា	ប	PA	ភូមិ ៨	ឃុំ ៨	ស្រុក ៨	07/02/2017			088707800
9	ថា ធីតា	ប	PC	ភូមិ ៩	ឃុំ ៩	ស្រុក ៩	07/02/2017			08833646
10	ស៊ីម ធីតា	ប	PE	ភូមិ ១០	ឃុំ ១០	ស្រុក ១០	07/02/2017			097447676

លរ	ឈ្មោះ/សិទ្ធាកាម	ភេទ	តួនាទី	មីក្រូទ្រព្យ			ថ្ងៃ	ហត្ថលេខា		លេខទូរស័ព្ទ
				ភូមិ	ឃុំ	ស្រុក		០៧/០២/២០១៧	០៨/០២/២០១៧	
11	ស៊ី ឈីន	ស្រី	សមាជិក	ភូមិ ១	ស្រុក ១	ខេត្ត ១	០៧/០២/២០១៧	០៧/០២/២០១៧	០៧/០២/២០១៧	០៩៧៨៩៩៧១៩
12	ស៊ី ឈីន	ប	សមាជិក	ភូមិ ១	ស្រុក ១	ខេត្ត ១	០៧/០២/២០១៧	០៧/០២/២០១៧	០៧/០២/២០១៧	០១២៧៧៤៥៤៤
13	ស៊ី ឈីន	ប	សមាជិក	ភូមិ ១	ស្រុក ១	ខេត្ត ១	០៧/០២/២០១៧	០៧/០២/២០១៧	០៧/០២/២០១៧	០៩៨៩៧៧៧៧៧
14	ស៊ី ឈីន	ប	សមាជិក	ភូមិ ១	ស្រុក ១	ខេត្ត ១	០៧/០២/២០១៧	០៧/០២/២០១៧	០៧/០២/២០១៧	០៩៨៩៧៧៧៧៧
15	ស៊ី ឈីន	ប	សមាជិក	ភូមិ ១	ស្រុក ១	ខេត្ត ១	០៧/០២/២០១៧	០៧/០២/២០១៧	០៧/០២/២០១៧	០១២៥៩៩៩៩៩
16	ស៊ី ឈីន	ប	សមាជិក	ភូមិ ១	ស្រុក ១	ខេត្ត ១	០៧/០២/២០១៧	០៧/០២/២០១៧	០៧/០២/២០១៧	០៩៧៧៧៧៧៧៧
17	ស៊ី ឈីន	ប	សមាជិក	ភូមិ ១	ស្រុក ១	ខេត្ត ១	០៧/០២/២០១៧	០៧/០២/២០១៧	០៧/០២/២០១៧	០៩៨៩៧៧៧៧៧
18	ស៊ី ឈីន	ប	សមាជិក	ភូមិ ១	ស្រុក ១	ខេត្ត ១	០៧/០២/២០១៧	០៧/០២/២០១៧	០៧/០២/២០១៧	០៩៧៧៧៧៧៧៧
19	ស៊ី ឈីន	ប	សមាជិក	ភូមិ ១	ស្រុក ១	ខេត្ត ១	០៧/០២/២០១៧	០៧/០២/២០១៧	០៧/០២/២០១៧	០៩៧៧៧៧៧៧៧
20	ស៊ី ឈីន	ប	សមាជិក	ភូមិ ១	ស្រុក ១	ខេត្ត ១	០៧/០២/២០១៧	០៧/០២/២០១៧	០៧/០២/២០១៧	០៩៧៧៧៧៧៧៧
21	ស៊ី ឈីន	ប	សមាជិក	ភូមិ ១	ស្រុក ១	ខេត្ត ១	០៧/០២/២០១៧	០៧/០២/២០១៧	០៧/០២/២០១៧	០៩៧៧៧៧៧៧៧
22	ស៊ី ឈីន	ប	សមាជិក	ភូមិ ១	ស្រុក ១	ខេត្ត ១	០៧/០២/២០១៧	០៧/០២/២០១៧	០៧/០២/២០១៧	០៩៧៧៧៧៧៧៧
23	ស៊ី ឈីន	ប	សមាជិក	ភូមិ ១	ស្រុក ១	ខេត្ត ១	០៧/០២/២០១៧	០៧/០២/២០១៧	០៧/០២/២០១៧	០៩៧៧៧៧៧៧៧

លរ	ឈ្មោះ/សិទ្ធាកាម	ភេទ	តួនាទី	មីក្រូទ្រព្យ			ថ្ងៃ	ហត្ថលេខា		លេខទូរស័ព្ទ
				ភូមិ	ឃុំ	ស្រុក		០៧/០២/២០១៧	០៨/០២/២០១៧	
24	ស៊ី ឈីន	ប	សមាជិក	ភូមិ ១	ស្រុក ១	ខេត្ត ១	០៧/០២/២០១៧	០៧/០២/២០១៧	០៧/០២/២០១៧	០៩៧៧៧៧៧៧៧
25	ស៊ី ឈីន	ប	សមាជិក	ភូមិ ១	ស្រុក ១	ខេត្ត ១	០៧/០២/២០១៧	០៧/០២/២០១៧	០៧/០២/២០១៧	០៩៧៧៧៧៧៧៧
26	ស៊ី ឈីន	ប	សមាជិក	ភូមិ ១	ស្រុក ១	ខេត្ត ១	០៧/០២/២០១៧	០៧/០២/២០១៧	០៧/០២/២០១៧	០៩៧៧៧៧៧៧៧
27	ស៊ី ឈីន	ប	សមាជិក	ភូមិ ១	ស្រុក ១	ខេត្ត ១	០៧/០២/២០១៧	០៧/០២/២០១៧	០៧/០២/២០១៧	០៩៧៧៧៧៧៧៧

