



BUSINESS, HUMAN RIGHTS AND THE SDGS IN THE PACIFIC, 2020

Assignment 1: The State Duty to Protect Human Rights

This assignment has two parts.

Part A): Your Country and International Human Rights Standards

Background information:

When a state (government) ratifies a human-rights treaty, it agrees to implement it domestically – and this means it has accepted obligations to protect the rights in the treaty from being harmed/abused by business.

There are 9 core international human rights treaties – on economic, social, cultural, civil and political rights, the rights of women, the rights of children, the rights of persons with disability and migrant workers – and on specific violations including racism, torture and “disappearances”.

Aim: We are asking you to look up the human rights treaties that your country has ratified.

You can find this information on the main [website of the UN’s Office of the High Commissioner for Human Rights \(OHCHR\)](#).

Some Tips:

- Go to www.ohchr.org
- On the title bar – click HUMAN RIGHTS BY COUNTRY and select your country from dropdown menu. In the country page you can find information on status of ratification
- *Your country has ratified at least two of these treaties*
- Please note down for yourself these treaties – and we may ask you to share with us at the next session.

E.G: *New Zealand:*

Human Rights Treaty	Ratification	Last Reporting
Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT)	10 December 1989	25 September 2019

There will be links to the human rights treaties here – and we recommend that you also read the human rights treaties that your country has identified. There is an independent committee of experts for each human rights treaty – and they are called Human Rights Treaty Bodies. You can find out more on Treaty Bodies here – [Read more](#) | [Watch video](#)

Part B): Your Country and Laws Relating to Business and Human Rights

Background information:

Under international human rights law, every government (state) has the obligation to respect, protect and fulfill human rights.

Pillar 1 of the UN Guiding Principles on Business and Human Rights sets out the *state duty to protect* human rights from harms by businesses.

One way that each state protects human rights is through laws. In this exercise we ask you to research the laws in your country that might protect some key human rights.

Aim: Research the laws in your country that might protect some key human rights impacted by business

Some tips to get started:

The Pacific Islands Legal Information Institute (**Paclii**) collects and publishes legal materials from 20 Pacific Islands Countries on its website www.paclii.org

We suggest that you explore the database for laws in your country relevant to Business and Human Rights. The national laws are a way for governments to fulfil part of its responsibility to protect human rights.

You can search by *selecting your country*, *selecting legislation* and then *entering some of the following search terms*:

- Health and Safety at Work
- Employment
- Mining
- Anti-Discrimination
- Labour Rights/Freedom of Association
- Environmental Protection
- Pollution
- Free Prior and Informed Consent
- Disability



Enter www.paclii.org
Select your country:

Search Paclii Databases

Search [Advanced Search] LawCite Search Help

Browse by Country

AMERICAN SAMOA	MARSHALL ISLANDS	PITCAIRN ISLANDS
CNMI	NAURU	SAMOA
COOK ISLANDS	NIUE	SOLOMON ISLANDS
FUJI	NOUVELLE CALÉDONIE	TOKELAU
FSM	PALAU	TONGA
GUAM	PAPUA NEW GUINEA	TUVALU
KIRIBATI		VANUATU

Select legislation and enter any of the search terms:

Primary Materials Other Materials Recent Updates

Health and Safety at Work Search [Search Help] [Advanced Search]

Search: Cases Legislation All Databases

If you like, you can also look up the laws in other countries too.

In the next session of the course we might ask you to list some of the laws that you have found that you think include protection of human rights?