

“Organizations denounce Nestlé’s new human rights impact assessment as a public relations stunt”, 19 Dec 2013, Joint statement by Blue Planet Project, FIVAS, Food & Water Watch, and Public Services International, <http://www.foodandwaterwatch.org/pressreleases/organizations-denounce-nestles-new-human-rights-impact-assessment-as-a-public-relations-stunt/>

Response by Nestlé and the Danish Institute for Human Rights (DIHR)

We read with interest the joint statement from Blue Planet Project, FIVAS, Food & Water Watch and Public Services International. We found that many of the observations in this statement are in stark contrast to the responses we have received from other stakeholders who have recognized [Talking the Human Rights Walk](#) as a step forward in the field of business and human rights. In fact, a number of stakeholders have acknowledged this report by DIHR and Nestlé as a “game changer” with respect to public communication on Human Rights Impact Assessments (HRIAs) processes and outcomes.

We recognize and are responsive to external stakeholders’ expectations of companies to communicate on their efforts to address the issue of human rights in their operations and supply chains. The [UN Guiding Principles on Business and Human Rights](#) (Principle 21) note: “[i]n order to account for how they address their human rights impacts, business enterprises should be prepared to communicate this externally, particularly when concerns are raised by or on behalf of affected stakeholders.” This is precisely what the *Talking the Human Rights Walk* report seeks to achieve.

As clearly stated in *Talking the Human Rights Walk*, we do not consider this report as an end in itself. Rather, we view it as a tool that will help us to engage in more in-depth discussions with a broad range of individuals and organizations that are willing to contribute to the ongoing debate around HRIAs.

We firmly believe that this report serves as an opportunity and provides the basis for robust multi-stakeholder discussion on the issue of business and human rights, and HRIAs in particular. In addition to the stakeholder consultations which we undertook to complete this report, we are fully committed to further dialogue around this publication in 2014. It is our hope that such discussions will contribute to the constructive exchange around HRIAs, particularly with respect to how they ought to be conducted and reported upon. We acknowledge that the methodology for the facilitated HRIAs is not yet perfect; it is work in progress, and Nestlé and DIHR are jointly improving their practice in this emerging field.

We welcome all feedback on *Talking the Human Rights Walk* and encourage other stakeholders to send us their thoughts on this document. Dedicated email addresses have been created by Nestlé: humanrights@nestle.com and DIHR: business@humanrights.dk

Regarding the specific issues raised in the joint statement, please see DIHR and Nestlé response below:

- **The assessments review corporate policy rather than practice:** Through the HRIAs we assess policies as well as practice. Through assessments of Nestlé’s business activities on the ground, including workers’, suppliers’ and community interviews as well as meetings with external stakeholders we seek to assess the impacts of Nestlé’s business activities in practice and not only its policies.

- **Parameters for the assessments were set by Nestlé:** The indicators for the assessment are determined by DIHR based on its Human Rights Compliance Assessment (HRCA) Tool. The parameters for the HRIAs are based on international human rights standards, which include all international human rights including the right to water. During every assessment the issue of the right to water has been included into the scope: relevant rights holders and other stakeholders have been asked questions related to Nestlé's impact to the right to water related to its factory operations and raw materials supply chain.
- **Assessments were carried out by Nestlé field staff:** The assessments have been carried out by a team of two DIHR staff and local consultant(s) together with the Nestlé HQ human rights specialist. No Nestlé field staff has been part of the assessments, except for organizing the logistical aspects. Furthermore, Nestlé HQ human rights specialist has stepped out of meetings and interviews where the interviewees have expressed they feel more comfortable to speak without a Nestlé representative present.
- **Final assessment data is vetted by Nestlé headquarters and executives in the countries where operations were evaluated:** DIHR shares the outcomes of the assessment with the Nestlé country team at the end of every HRIA through a debriefing session. The purpose of this debriefing is not the vetting of data by the country team, but to share the preliminary outcomes of the assessment and to offer the country team the opportunity to clarify any questions or misunderstandings. The final assessment report drafted by DIHR is shared with the Nestlé HQ human rights specialist for the purpose of ensuring that the most up to date Nestlé information is correctly reflected in the assessment report, but not to vet, exclude or amend the findings and recommendations made by DIHR.
- **Scope:** The countries where Nestlé conducted the past seven assessments discussed in the *Talking the Human Rights Walk* report are based on the FTSE4Good list of 'countries of concern'. Countries such as Canada, mentioned by the NGO coalition, have therefore not been in the geographical scope of the past assessments. Nestlé publicly committed to carrying out HRIAs in all FTSE4Good 'countries of concern' where it has significant operations by 2015. These include China, Egypt, Pakistan, Saudi Arabia and Vietnam in addition to the seven countries already covered.

Regarding the other mentions of Nestlé in the statement of Blue Planet et al., please see the company response below:

- Nestlé unequivocally believes that access to water is a basic human right. We recognized this even before the UN affirmed it, and our Chairman, Mr. Peter Brabeck-Letmathe, is on [record](#) with numerous statements confirming our position. Therefore, the right to water and sanitation, as any other internationally recognized human right, has been fully integrated into the methodology and process of the HRIAs we have conducted so far.
- Regarding concerns about water in [Pakistan](#) and [Ontario](#), we are committed to managing water resources we operate around the world in a responsible manner. The [Nestlé Commitment on Water Stewardship](#) guides our efforts toward effective water stewardship.
- In [Colombia](#), we have held more than 100 formal and informal bilateral meetings with the Sinaltrainal trade union throughout the last year. More recently meetings were also organized by the Colombian Ministry of Labour.