

# Human Rights Working Group

Meeting: Thursday 25 March 2021

12pm – 1:30pm AEDT / 2pm – 3:30pm NZDT

By Zoom

## Attendees:

1	Suzanne	Ballard	KPMG Banarra
2	Clare	Bartram	ISS ESG Australia
3	Chris	Beattie	JANA Investment Advisers
4	Matthew	Bennett	United Super Pty Ltd as Trustee for Cbus
5	Michelle	Cameron	Refinitiv
6	Måns	Carlsson	Ausbil Investment Management
7	Carey	Church	Moneyworks NZ Ltd
8	Agnieszka	Cochrane	Alphinity Investment Management
9	Alan	Dayeh	Point Advisory
10	Suwanee	Dharmalingam	Macquarie Bank Limited
11	Lisa	Domagala	Solari
12	Briony	Doyle Galovic	RIAA
13	Morgan	Ellis	MSCI ESG Research (Australia) Pty Limited
14	James	Fitzgerald	Australasian Centre for Corporate Responsibility (ACCR)
15	Abby	Frank	Regnan
16	Georgia	Hall	Maple-Brown Abbott
17	Dean	Hegarty	Responsible Investment Association
18	Katie	Hepworth	Australasian Centre for Corporate Responsibility (ACCR)
19	Linda	Hohmann	Northern Trust Asset Management
20	John	Jarrett	Supporting Individual
21	Xinting	Jia	CareSuper
22	Kate	Lawrence	ISS ESG Australia
23	Sarah	Lawson	Responsible Investment Association
24	Seb	Loewenstein	CEFC
25	Desiree	Lucchese	U Ethical
26	Bridgette	McDonald	Supporting Individual
27	Ros	McKay	Cbus
28	Paul	Millar	Altioem
29	Natasha	Morris	Adamantem Capital
30	Janelle	Morrison	Ausbil Investment Management
31	Marion	O'Donnell	Fidelity International
32	Kaylene	Oneill	National
33	Dean	Parkin	From the Heart
34	Nga	Pham	Monash Centre for Financial Studies
35	Jackie	Radisich	Future Super

36	Sharon	Raynor	Responsible Investment Association Australasia
37	Stacey	Sellwood	REST
38	Sandra	Silea	AustralianSuper
39	Timothy	Stamp	Mercer
40	James	Tayler	Ellerston Capital
41	Dragana	Timotijevic	AMP Capital Investors Limited
42	Kate	Turner	First Sentier Investors
43	Allison	Van Lint	Cbus
44	Min-Wah	Voon	RIAA
45	Patrick	Washer	Devon Funds
46	Olivia	Webster	Australian Ethical
47	Alex	Wise	Castle Hall
48	Jane	Wu	HESTA

## Minutes

	Item	Action required	Delegation
1	<b>Welcome and introduction of new members</b>  A warm welcome to members and acknowledgement of country.  Motion: to adopt the November 26 minutes Moved by Måns Carlsson Seconded by Clare Bartram Motion CARRIED		
	Rosalind McKay (Cbus), co-chair of ACSI working group seeking to implement the UN Declaration on the Rights of Indigenous Peoples using the Global Compact Network Australia Australian <a href="#">Business Guide</a> ), reported on the ongoing engagement of ACSI with Rio Tinto. Please see <a href="#">Hesta press release</a> .		
2	<b>Special Interest Topic</b> Presentation by <a href="#">James Fitzgerald</a> , Strategy Lead, Australasian Centre for Corporate Responsibility (ACCR), on the Juukan Gorge Senate Inquiry interim report <a href="#">recommendations</a> . Presentation available <a href="#">here</a> and slide deck <a href="#">here</a> .	Action 42/21: contact <a href="#">Alan</a> or <a href="#">Min Wah</a> if interested to discuss the Juukan Gorge Senate Inquiry interim report <a href="#">recommendations</a> and how they relate to our First Nations Peoples Rights working group.	All
3	<b>Report back from sub-group</b>  <b>Stock Watch – ISS ESG</b> Clare Bartram (ISS ESG Australia) gave an overview including a highlight of the extent of human rights abuses of the Uyghurs in China's Xinjiang region (refer StockWatch). It was noted that IAST is working in this area (To learn about IAST, refer November 2020 HRWG meeting	Action 43/21: contact <a href="#">Kate</a> if would like to know more about Investors Against Slavery and Trafficking (IAST) or <a href="#">Måns</a>	All

	<p>– a <a href="#">recording of the presentation</a> can be viewed here and the <a href="#">slide deck here</a>).</p> <p><b>Climate risk and human rights</b> Suzanne Ballard (KPMG Banarra) shared an update of the collaboration between RIAA, KPMG and Australian Human Rights Commission:</p> <p><b>First Nations peoples' rights working group</b> Alan Dayeh (chair) provided an update on the working group's activities. Refer to the First Nations peoples' rights working group update.</p> <p>Desiree Lucchese (U Ethical) is engaging with Fortescue Metals Groups and relevant First Nations' stakeholders.</p> <p><b>Corporate engagement on human rights</b> Michelle Cameron (Refinitiv) is leading the Corporate Engagement sub-group. Aim to help RIAA members quantify the impact of investment decisions and engage with the corporate community. Key activity is investor tool kit on standards/expectations for Indigenous relations and heritage protection. (Draft for consultation will be launched at RIAA conference May 7).</p>	<p>regarding modern slavery and Xinjiang generally.</p> <p>Action 44/21: If interested to know more contact <a href="#">Suzanne</a> or <a href="#">Mark</a>.</p> <p>Action 45/21: contact <a href="#">Alan</a> or <a href="#">Min Wah</a> if interested in to learn more about the First Nations peoples' rights working group.</p> <p>Action 46/21: contact <a href="#">Desiree</a> if interested with engagement with FMG and relevant First Nations stakeholders.</p> <p>Action 47/21: Contact <a href="#">Michelle</a> if interested in corporate engagement</p>	<p>All</p> <p>All</p> <p>All</p> <p>All</p>
<b>4</b>	<p><b>Admin for 2020</b></p> <ol style="list-style-type: none"> <li>1. HRWG 3-year review completed (refer attached). Based on feedback from last year's questionnaires a key thing group can do is share knowledge on human rights and international developments. There is an appetite for toolkits, where the group can help and support each other including looking at best in class case studies. Key topics members wish to focus on in 2021 are modern slavery, labour rights and First Nations peoples.</li> <li>2. Welcome to new members <ul style="list-style-type: none"> <li>▪ Chris Beattie – JANA</li> <li>▪ Agnieszka Cochrane – Fidante Partners / Challenger</li> <li>▪ Morgan Ellis – MSCI ESG Research</li> <li>▪ Jonathan Kneebone – Indigenous Business Australia</li> <li>▪ John Jarrett – consultant</li> <li>▪ Suwanee Dharmalingam - Macquarie Bank Limited</li> <li>▪ Paul Millar - Altioem</li> </ul> </li> </ol>		

	<p>3. LinkedIn Group (Min Wah) RIAA is setting up a LinkedIn group for HRWG which will allow members to respond more quickly to controversy's and share updates such as corporate engagement and new research.</p>	Action 48/21: RIAA to set up LinkedIn group. Invites will be sent to HRWG members who are encouraged to participate.	Min Wah
5	<p><b>Policy updates</b> None provided</p>		
6	<p><b>Activities and occurrences</b></p> <p><u>Modern Slavery</u> Måns gave an update. For any company with 30 June end of financial year the Modern slavery act reporting requirement is 31 March 2021. Government has released 4<sup>th</sup> batch of Modern Slavery Act statements and considered to be of mixed quality.</p> <p>Last week the Government released a <a href="#">publication</a> looking into the forced labour issue in Xinjiang and the government has made a <a href="#">submission</a> into parliamentary inquiry into proposed modern slavery legislation banning imports from Xinjiang region and potentially elsewhere in China. Considered a big issue in 2021 as US has implemented very harsh restrictions and other countries may follow. Australia heavily relies on China for sourcing and therefore it is a big issue here.</p> <p>Måns and Kate Turner outlined recent activities by IAST – APAC (Investors Against Slavery and Trafficking). As part of work stream 1, IAST - APAC issued an investor statement to the ASX 100 companies in late 2020 outlining what the signatories of the investor statement expect from them and that they want companies to go above and beyond legal compliance. Replies received were varied and some forwarded to their boards. Kate Turner noted IAST has kick started engagement with the second work stream (company engagement) and initial company meetings have been held.</p> <p>New publication from KPMG and Australian Human Rights Commission: <a href="#">Financial services and modern slavery: Practical responses for managing risks to people</a></p> <p>Tim Stamp (Mercer Australia) and Måns agreed to update the <a href="#">Human Rights tool kit</a> including exploring available supply chain software, services and mapping tools.</p> <p>The following was noted:</p> <ul style="list-style-type: none"> <li>- issue of compartmentalised reporting and disclosures (i.e. how does human rights reporting relate to sustainability reporting).</li> </ul>	Action 49/21: <a href="#">Tim</a> and <a href="#">Måns</a> to review and update Human Rights Tool Kit.	Tim & Måns

	<ul style="list-style-type: none"> <li>- companies struggle with how to determine their whole supply chains and a tool kit would be very useful.</li> <li>- auditing is very important given major auditing companies have pulled out of Xinjiang.</li> <li>- the scale of the issue is far bigger than disclosure and audit.</li> </ul> <p><u>Seafarers</u> Marion O'Donnel (Fidelity) shared an update on their work to advocate with companies and the UN regarding Seafarers welfare (see member musing <a href="#">here</a>).</p> <p><u>Industry collaboration report backs (GRI, IGCC, ACSI) - no updates</u></p> <p><u>Uluru Statement from the Heart</u> <a href="#">Dean Parkin</a> (Director, From the Heart) shared an update. He encouraged members who support the Uluru Statement to <a href="#">make a submission</a> in response to the Interim Voice Report (closes 30 April 2021). Key call is for a constitutionally enshrined First Nations Voice to Parliament. See Adamantem and Melior's submission <a href="#">here</a>.</p>	<p>Action 50/21: Members who support the Uluru Statement from the Heart are encouraged to make a submission by 30 April 2021. Contact <a href="#">Dean</a> for more information.</p>	All
7	<p><b>Break Out Session</b> Group broke out into smaller groups with four other members to discuss:</p> <ol style="list-style-type: none"> <li>1) What are your priority human rights-related risks and opportunities? <ul style="list-style-type: none"> <li>- Modern slavery and Xinjiang detention camps, labour standards,</li> <li>- Contribution that the transition to a low carbon economy is making to modern slavery, e.g. components</li> <li>- Understanding clients' priorities</li> <li>- Investor awareness of Indigenous rights agenda</li> <li>- Diversity and inclusion (D &amp; I)</li> <li>- Gig economy and wages in Australia; e.g. wage theft of backpackers</li> </ul> </li> <li>2) What challenges/questions are you facing? <ul style="list-style-type: none"> <li>- Engagement with managers who have high risk holdings and lacking in modern slavery response management</li> <li>- Passive asset managers - difficult to assess modern slavery risk.</li> <li>- There is a wide universe of companies and regions, start at high level assessing high risk countries and just digging down.</li> </ul> </li> </ol>	<p>Action 51/21: Send summary of break out room discussions to <a href="#">Min Wah</a>.</p>	All

	<ul style="list-style-type: none"> <li>- How much detail do asset managers require and how deep do they go?</li> <li>- How to determine best practice</li> <li>- Calibrating what sort of reporting is expected.</li> <li>- Data and information on benchmarking modern slavery reports once they come out.</li> </ul> <p>3) What opportunities do you see for collaboration?</p> <ul style="list-style-type: none"> <li>- IAST APAC.</li> <li>- Difficulty in choosing which investor initiatives to join, especially for global companies</li> </ul>		
<b>8</b>	<b>Initiatives currently planned</b> Nothing additional to report.		
<b>9</b>	<b>Dates of 2021 meetings and wrap up</b> Full HRWG quarterly meetings: <a href="#">June 23 (Wednesday)</a> <a href="#">September 14 (Tuesday)</a> <a href="#">November 25 (Thursday)</a>	For noting	

## Action register FY20/21

Ref	Item	Action	Delegation	Status
42/21	Juukan Gorge Senate Inquiry interim report	Contact <a href="#">Alan</a> or <a href="#">Min Wah</a> if interested to discuss the Juukan Gorge Senate Inquiry interim report <a href="#">recommendations</a> .	All	Pending
43/21	Investors Against Slavery and Trafficking	Contact <a href="#">Kate</a> if would like to know more about Investors Against Slavery and Trafficking (IAST) or <a href="#">Måns</a> regarding modern slavery and Xinjiang generally.	All	Pending
44/21	Climate risk and human rights	If interested to know more about the collaboration between RIAA, KPMG and Australian Human Rights Commission contact <a href="#">Suzanne</a> or <a href="#">Mark</a> .	All	Pending
45/21	First Nations peoples' rights working group	Contact <a href="#">Alan</a> or <a href="#">Min Wah</a> if interested in to learn more about the First Nations peoples' rights working group.	All	Pending
46/21	FMG	Contact <a href="#">Desiree</a> if interested with engagement with FMG and relevant First Nations stakeholders.	All	Pending
47/21	Corporate engagement	Contact <a href="#">Michelle</a> if interested in corporate engagement	All	Pending
48/21	LinkedIn group	RIAA to set up LinkedIn group. Invites will be sent to HRWG members who are encouraged to participate.	Min Wah	Pending
49/21	Human Rights Tool Kit	<a href="#">Tim</a> and <a href="#">Måns</a> to review and update Human Rights Tool Kit.	Tim & Måns	Pending

50/21	Uluru Statement	Members who support the Uluru Statement from the Heart are encouraged to make a submission by 30 April 2021. Contact <a href="#">Dean</a> for more information.	All	Pending
51/21	2021 priorities, challenges & opportunities	Send summary of break out room discussions to <a href="#">Min Wah</a> .	All	Pending
<b>PREVIOUS</b>				
38/20	Acknowledge This!	<a href="#">Register</a> for workshop	All	Completed
39/20	FMG	Contact <a href="#">Desiree Lucchese</a> , U Ethical, if you hold FMG and would like to discuss.	All	In Progress
40/20	Climate change & HR	Contact <a href="#">Mark Lyster</a> or <a href="#">Nicolette</a> if you're interested to participate in a research interview on the nexus between climate change, human rights and investors.	All	Completed
41/20	HRWG biennial review	Complete 10-minute online <a href="#">member survey</a> for HRWG biennial review and future directions.	All	Pending
28/20	Sustainable Digitalisation Project	Complete survey <a href="#">SDP survey</a> . Contact <a href="#">Ruben Langbroek</a> or Nicolette for more info	Relevant members	Completed
30/20	FNP sub-stream	Members interested to learn more and participate in the First Nations peoples' rights sub-group to contact <a href="#">Alan Dayeh</a> and also to provide feedback on issues to prioritise as part of the workstream. Members that have colleagues who self-identify as First Nations are encouraged to reach out to them and see if they are interested to join, as appropriate.	All	Completed
31/20	FPIC and Equator Principles IV	Organise presentation on Equator Principles IV and Free, Prior and Informed Consent (FPIC)	Rosemary B; Alan D	To do
32/20	Reconciliation Action Plans (RAPs)	FNP rights sub-group to start with education and strengthening RAP process and outcomes	Alan D	In progress
33/20	FNP sub-stream	Share work/plans on First Nations peoples' rights between HRWG and ACSI	Liza M; Alan D; Min Wah	Completed
34/20	First Nations peoples' rights and civil society-NGO	Complete <a href="#">this 4-question survey</a> on what you'd like to learn from the First Nations peoples' rights sub-stream work with civil society and NGOs.	All	Completed
36/20	Shareholder resolutions at AGMs	ACCR investor briefings on shareholder resolutions - register here <a href="#">AGL</a> / <a href="#">BHP</a> / <a href="#">Origin</a>	Relevant members	Completed
37/20	Modern slavery	Update the group with more information at the next meeting. Liza to update with launch and formal webinar for investors.	Kate, Liza and Måns	Completed
8/20	Modern Slavery – banking-investor initiative	Invite expressions of interest for the banking-investors MSA initiative	Rosemary	In progress
18/20	Anti-Slavery Australia	Discuss co-production of videos for the finance sector with ASA.	Rosemary; Måns; Mark	Pause

24/20	Modern Slavery	Send out note on benefits of modern slavery – banks and investor conversation.	Rosemary; Mark	Pause
1/20	Rob Jolly's slide deck	Distribute to attendees	Nicolette	Completed
2/20	AO-AM MS DD	Contact Jessie Pettigrew for a copy of the MS DDQ and provide feedback by mid-May	All	Completed
3/20	Stock Watch	Distribute report to attendees	All	Completed
5/20	WDI	Maintain WDI as an agenda item to ensure we have regular process updates from any participants	Min Wah	Completed
6/20	WDI	Remove WDI from work plan	Nicolette	Completed
9/20	HRWG Work plan 2020	Circulate revised workplan and request approval for adoption	Min Wah	Completed
10/20	Succession planning HRWG Chair	Provide overview of Deputy Chair tasks and invite nominations.	Nicolette	Completed
11/20	MSA	Notify HRWG members if a change to timing requirements for reporting	Nicolette	Completed
12/20	AHRC Technology and human rights	Identify internal stakeholders that may benefit from participating in AHRC consultation	Nicolette	Completed
14/20	Special interest speakers	Invite Anti-Slavery Australia to present at June meeting	Nicolette	Completed
15/20	ASA presentation	Distribute slide deck to attendees	Min Wah	Completed
29/20	Stock Watch	Distribute Report to attendees	Min Wah	Completed
25/20	Sustainable Digitalisation Project	Send out background briefing paper and link to five question survey	Nicolette	Completed
4/20	HR corporate engagement	Contact Michelle Cameron, Refinitiv, for human rights-related corporate engagement	All	Completed
13/20	Knowledge Hub	Send any HR research to <a href="mailto:research@altioem.org">research@altioem.org</a> to build the library on this topic.	All	Completed
16/20	Anti-Slavery Australia	contact Yvette directly ( <a href="mailto:Yvette.Selim@uts.edu.au">Yvette.Selim@uts.edu.au</a> ) if you'd like to trial ASA resources.	All	Completed
19/20	Black Lives Matter	Alan Dayeh to lead a separate follow-up dialogue for members (broader than the HRWG).	Min Wah to facilitate	Completed
21/20	Investor-NGO	Express interest to work on Investor-NGO collaboration. Myrna Machuca-Sierra, Givvable, will fill the gap during Amanda's absence.	All	Completed
22/20	MS DD Questionnaire	Express interest if you'd like to be part of future discussions to review implementation of MS DD Questionnaire.	All	Completed
23/20	WDI	Members encouraged to maintain their association with WDI and subscribe to newsletter.	All	Completed
26/20	Special Interest	Participants to send Min Wah any ideas on guest speakers for meetings.	All	Completed
17/20	Anti-Slavery Australia	ASA to update HRWG on capability to integrate ASA online training into internal corporate training systems.	ASA	Completed
27/20	SDP	Share slide deck with HRWG	Min Wah	Completed
35/20	Modern slavery	Share link to register for event for financial sector on labour exploitation and human trafficking as part of the Bali process.	Min Wah	Completed



40/19	Decision making framework in high impact countries	Circulate draft paper to interested parties before EOY	Mark	On hold
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