

POLICY PAPER

**PROMOTING INCLUSIVE
AND RESPONSIBLE BUSINESS
BY STRENGTHENING
CIVIL SOCIETY ENGAGEMENT**



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INFID - 2024

Promoting Inclusive and Responsible Business by Strengthening Civil Society Engagement

Author:

Dr. Eri Trinurini
Ari Wibowo, M.Sc

Expert Reviewer:

Dr. AB. Widyanta
Emmy Astuti – ASPPUK
Lily Batara – KRKP
Herni Ramdlaningrum - The Prakarsa

Cover & Content Design:

Taqi

Content Layout:

Taqi

Proofreader:

Hendrikus Rizky Visanto Putro
Ari Wibowo, M.Sc

Supervised by:

Iwan Mithohizzaman
Abdul Waidl

This policy paper is published for the first time by:

International NGO Forum on Indonesian Development (INFID)

Jl. Jati Padang Raya Kav. 3 No. 105,
Pasar Minggu - Jakarta Selatan, 12540, Indonesia

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Acronyms and Abbreviations

ACSC/APF	: ASEAN Civil Society Conference/ASEAN People's Forum
AFWA	: Asia Floor Wage Alliance
AICHR	: ASEAN Intergovernmental Commission in Human Rights
APINDO	: Asosiasi Pengusaha Indonesia / Indonesian Employers' Association
ASEAN	: Association of Southeast Asian Nations
ASEC	: Asian Solidarity Economy Council
ASPPUK	: Asosiasi Pendamping Perempuan Usaha Kecil / Association for Assistance to Women in Small Business
BHR	: Business and Human Rights
CSO	: Civil Society Organization
CSR	: Corporate Social Responsibility
DPR	: Dewan Perwakilan Rakyat / House of Representatives
DRC	: Djokosoetono Research Center
ELSAM	: Lembaga Studi dan Advokasi Masyarakat / Institute for Policy Research and Advocacy
FIHRRS	: Foundation for International Human Rights Reporting Standards
GDP	: Gross Domestic Product
HIPMI	: Himpunan Pengusaha Muda Indonesia / Indonesian Young Entrepreneurs Association
HRDD	: Human Right Due Diligence
HRRC	: Human Rights Resource Centre
HRWG	: Human Rights Working Group
IB	: Inclusive Business
IGCN	: Indonesia Global Compact Network
IHCS	: Indonesian Human Rights Committee for Social Justice
INFID	: International NGO Forum on Indonesian Development
IRB	: Inclusive and Responsible Business
ISO	: International Organization for Standardization

KADIN	: Kamar Dagang dan Industri / Indonesian Chamber of Commerce and Industry
KOMNAS HAM	: Komisi Nasional Hak Asasi Manusia / National Commission on Human Rights
KRKP	: Koalisi Rakyat untuk Kedaulatan Pangan / People's Coalition for Food Sovereignty
KRuHA	: Koalisi Rakyat untuk Hak atas Air / People's Coalition for the Right to Water
MSME	: Micro, Small and Medium-Sized Enterprise
NAP	: National Action Plan
NGO	: Non-Governmental Organization
NS	: National Strategy
OECD	: Organisation for Economic Co-operation and Development
Perpres	: Peraturan Presiden / Presidential Regulation
PRISMA	: Penilaian Risiko Bisnis dan HAM / Business and Human Rights Risk Assessment
RBC	: Responsible Business Conduct
SDGs	: Sustainable Development Goals
SE	: Social Enterprise
SSE	: Social Solidarity Economy
SME	: Small and Medium-Sized Enterprise
SOE	: State-Owned Enterprise
SSE	: Social and Solidarity Economy
UN	: United Nations
UNESCAP	: United Nations Economic and Social Commission for Asia and the Pacific
UNGC	: United Nations Global Compact
UNGPs on BHR	: United Nations Guiding Principles on Business and Human Rights
VOE	: Village-Owned Enterprise
WALHI	: Wahana Lingkungan Hidup Indonesia / Indonesian Forum for the Environment

Executive Summary

A study on promoting Inclusive and Responsible Business (IRB) by strengthening Civil Society Engagement was initiated by INFID and Oxfam Indonesia with the aim of: (i) analyzing the development of IRB-related issues and advocacy in ASEAN and Indonesia; (ii) delving into the development of the IRB movement or advocacy in ASEAN and Indonesia, and the urgency to further engage civil society organizations (CSOs) to promote an enabling environment for inclusive and responsible business; and (iii) providing recommendations and input for improving IRB policies in Indonesia and ASEAN. It is a qualitative research that primarily unpacks Presidential Regulation No. 60/2023 on the National Strategy for Business and Human Rights.

IRB is about embedding human rights into company policies and practices, while encouraging inclusive business practices. This issue stems from the **impact of globalization** driven by transnational corporations. Lax international and national laws as well as corporate practices that prioritize short-term profits rather than long-term gains, including human development, are issues that the **United Nations Guiding Principles on Business and Human Rights (UNGPs BHR)** seek to address, which consist of 3 core pillars: 1) state protection of human rights; 2) business respect for human rights; and 3) remedy for victims of human rights abuses.

IRB is primarily aimed at **large corporations that operate across national frontiers**. Capitalism has created two types of gaps as a result of the practices of transnational corporations. First, a **global governance gap** where the government is unable to enforce national laws when it comes to transnational corporate activities. Second, **economic and social disparities**, where women, children and vulnerable groups are the worst affected. However, from the **Social and Solidarity Economy (SSE) perspective**, the economy is plural, in which many other economic models have emerged. The most common SSE business models are cooperatives, social enterprises, microfinance institutions, and Credit Unions (CU), which are often adopted by civil society and community organizations. A differentiating economic principle between capitalism and SSE is the application of ethical values in business and participatory decision-making processes.

This study discusses **four global policies relating to IRB** that are commonly used as a reference framework in ASEAN: UNGPs BHR, UN Global Compact, ISO 26000, and Responsible Business Conduct. All four instruments are designed to ramp up efforts to help achieve the **SDGs**. The voluntary nature of the policies is often seen as lacking in effective implementation. Bearing this in mind, the UN is in the middle of discussing a legally binding instrument (LBI) on business and human rights with regard to transnational corporations (TNCs) and their respect for human rights. The Government of Indonesia is among those who support the drafting of the instrument.

The ASEAN Secretariat has a policy framework in place for Inclusive Business and Social Enterprise, but **none yet on IRB**. An IRB policy that is widely used by companies in ASEAN is the OECD's Responsible Business Conduct (RBC) guidelines. A survey conducted by ASEAN in 2017 found that most companies understand the concepts of CSR and IB but less so for RBC.

The Government of Indonesia pays considerable attention to business and human rights, as demonstrated in the unveiling of a **National Strategy for Business and Human Rights through Presidential Regulation (Perpres) No. 60/2023**. Pursuant to the Presidential Regulation, a National Task Force on Business and Human Rights was formed, consisting of Government Ministries and Institutions, and Non-Governmental Partners. INFID along with several Indonesian CSOs and development partners are part of the National Task Force as non-governmental partners. The three-pronged strategy aims to (1) enhance understanding of and promote business and human rights; (2) develop the necessary regulations, policies and guidelines; and (3) strengthen effective remedy mechanisms for victims of human rights violations.

Indonesia has yet to have a policy framework specifically on Inclusive Business. Based on the ASEAN IB guidelines (2020), Indonesia's IB status is still under consideration. However, the Coordinating Ministry for Economic Affairs together with the Ministry of Cooperatives and SMEs, the Ministry of Health, and BAPPENAS (National Development Planning Agency) have developed an IB roadmap that focuses on the tourism industry as a model.

Indonesian CSOs play an important role in policy formulation and IRB monitoring. Several CSOs are promoting IRB for different sub-issues. Among the CSOs advocating for IB are Oxfam, INFID, PRAKARSA, ASPPUK, and KRKP. The Inclusive and Responsible Business framework has been widely applied in the economic activities of organizations or companies through SSE platforms such as cooperatives and social enterprises. This is a strength that CSOs can harness to promote IB and IRB by showcasing best practices from SSE actors.

In promoting IB and IRB in ASEAN and Indonesia in particular, more attention should be given to key challenges, including the **different IB/IRB terminologies and concepts** that can render sensitization efforts ineffective. Regarding civil society engagement, **ASEAN's policy on CSOs is not entirely open to the idea of CSOs' involvement in decision-making**, as set forth in the ASEAN

Guideline for Civil Society. Indonesia on the other hand, has no clear and definite IB policy. This can make CSOs' advocacy for IB far less effective. Another policy constraint can be found in Indonesia's Labor Act under the Omnibus Law, which gives precedence to investor interests over worker protection.

Recommendations put forward in this policy paper for strengthening the role of CSOs in promoting IRB cover 4 key strategies: (1) optimizing the role of CSOs in the National Task Force; (2) developing a joint knowledge management system on business and human rights; (3) promoting and advocating IB and IRB policies to all stakeholders in ASEAN and Indonesia; and (4) fostering collaboration with the private sector in promoting IB and IRB.



Source: dreamstime.com

I. Introduction

A. Background

Inclusive and Responsible Business (IRB) is all about **integrating human rights into corporate (business) policies and practices, and promoting inclusive business practices.**¹ International awareness of the importance of embedding human rights into business is inextricably linked to the impact of globalization, liberalization and privatization, which gained momentum in the 1980s and 1990s. Globalization has led to instability on many fronts, such as deepening inter-country economic inequality, rising unemployment, worsening labor conditions and social exclusion, weakening democracy and state sovereignty, and environmental degradation (Marcuello, 2023).

Globalization has redefined the role of the State in terms of its regulatory function, where it is no longer the sole rulemaking authority. Issues of pollution, migration and/or organized crime that can no longer be addressed by national policies alone, require new standards through inter-State forums (ELSAM, 2019).² **Weakening international and national regulations as**

¹ This definition was formulated by the researcher based on a literature review and observations of IRB-related activities in ASEAN and Indonesia

² ELSAM. 2019. Perkembangan Bisnis dan HAM di Indonesia, Persepsi Negara, Masyarakat Sipil dan Korporasi (The Development of Business and Human Rights in Indonesia, the Perceptions of the State, Civil Society and Corporations). Jakarta

well as corporate practices that put short-term profits first over long-term gains, including human development, are problems that the **UNGPs on Business and Human Rights seek to solve**. According to the Global Wealth Report (2018), the wealthiest 1% of Indonesians control 46.6% of the total wealth of the country's adult population or the richest 10% own 75.3% of the population's wealth.³ The World Inequality Report (2022) found that the richest 10 percent of Indonesians amassed wealth equivalent to the total income of 50-60 percent of the lower-middle class.⁴ Ruggie in ELSAM 2019 described this issue as a **governance gap** created by globalization.⁵

At the ASEAN level, the IRB discourse is divided into two policies: Inclusive and Responsible Business (IRB) and Inclusive Business (IB).⁶ The commonly used term for IRB is Responsible Business Conduct (RBC), which refers to the Due Diligence Guidance for Responsible Business Conduct (OECD, 2020). The mix-up between the two policies was discussed at the 2018 ASEAN Business and Investment Summit in Singapore (ASEAN, 2018)⁷, albeit both are anchored in the **United Nations Guiding Principles on Human Rights** (UNGPs BHR) endorsed in 2011. In terms of implementation, the OECD survey (2020) revealed that only 39% of businesses who understood the importance of inclusive and responsible practices for society

³ Ministry of Finance website <https://www.djkn.kemenkeu.go.id/kpknl-madiun/baca-artikel/15029/Kecerdasan-Finansial.html#:~:text=Seperti%20dalam%20penggalan%20berita%20yang,3%25%20asset%20atau%20kekayaan%20nasional>. retrieved 23 January 2024

⁴ See the World Inequality Report 2022 at <https://wid.world/document/world-inequality-report-2022/>

⁵ ELSAM. 2019, p. 5.

⁶ This statement was inferred from readings and observations of CSO advocacy for IRB in Indonesia

⁷ ASEAN. 2018. The Voice of Business in ASEAN. Awareness on Responsible and Inclusive Business Policies – a Pilot Study. https://www.asean-csr-network.org/c/news-a-resources/csr-news-from-around-asean/1291-the-voice-of-business-in-asean_, retrieved 26 December 2023

and the environment have implemented the IRB framework.⁸ Others adopted these business practices for reasons such as to stay legally compliant or to maintain business reputation. The survey highlights the many challenges to building awareness on IRB and its implementation among ASEAN member states.

History has shown that discussions on the UNGPs BHR at the international and national levels are inseparable from the support and involvement of civil society, in terms of policy advocacy, implementation and monitoring. Indonesia made a historic stride when it introduced the country's first ever National Strategy for Business and Human Rights as laid out in Presidential Regulation No. 60/2023.⁹ The issue of business and human rights was previously incorporated in the National Action Plan on Human Rights (Presidential Regulation No. 33/2018). ELSAM, representing civil society, was involved in the drafting of the two Presidential Regulations with the Government. This was followed by INFID's appointment into the National Business and Human Rights Task Force. There is a multitude of challenges to implementing the IRB framework in Indonesia. As highlighted by INFID and SETARA (2023), Indonesia made insignificant progress in its Human Rights Index score, which remained practically unchanged or stagnant throughout Joko Widodo-Ma'ruf Amin's presidential term. In 2023, Indonesia scored 3.2, falling slightly from 3.3 in 2022.¹⁰ In view of this, a multistakeholder approach to implementing the National Business and Human Rights Strategy should be more effective in advancing IRB policies.

⁸ OECD. 2020. Responsible Business Conduct and Anti-Corruption Compliance in Southeast Asia

⁹ Peraturan Presiden No. 60 Tahun 2023. Strategi Nasional Bisnis dan HAM (Presidential Regulation No. 60/2023. National Strategy for Business and Human Rights)

¹⁰ INFID and SETARA 2023, INDEX HAM 2023. An index rating scale of 1-to-7. In terms of human rights progress, 1 is the worst, and 7 is the best. Indonesia scored 3.2 in 2019; 2.9 in 2020; 3,0 in 2021; 3.3 in 2022; and 3.2 in 2023.

INFID and its network such as OXFAM Indonesia, The Prakarsa, ASPPUK, KRKP and other civil society coalitions have also actively advocated for IRB in Indonesia. This IRB policy study is a continuation of a series of activities conducted by INFID and its network as part of **civil society's contribution to promote IRB policies**. The recommendations in this policy paper can help strengthen the IRB policy framework and enhance the implementation of the 2023-2025 National Business and Human Rights Strategy.



Source: Vecteezy.com

B. Aim and Methodology

This policy paper aims to:

1. Analyze the development of IRB-related issues and policies in ASEAN and Indonesia;
2. Delve into the development of the IRB movement or advocacy in ASEAN and Indonesia, and the urgency of further engaging CSOs in promoting an IRB climate;
3. Provide recommendations and inputs to improve IRB policies in Indonesia and ASEAN.

A key question to this study is: How can IRB policies and their implementation be promoted through better CSO engagement?

To answer the question above, this study adopts a qualitative approach. Data collection involves interviews with respondents representing government bodies, business, trade unions, research institutions, and other CSOs. The study involves policy analyses at the global level such as the UNGPs BHR; the regional level (ASEAN) such as the Guidelines for the Promotion of Inclusive Business in ASEAN; and the national level, specifically Presidential Regulation No. 60/2023 on the National Strategy for Business and Human Rights (NS BHR).

The policy paper's scope of discussion:

- Analysis of IRB policy frameworks in ASEAN and Indonesia and their implementation
- The role of CSOs in promoting IRB, what has been done, and what are the challenges
- Recommendations for IRB development in Indonesia and ASEAN



Source : Vecteezy.com

II. Key Aspects of IRB Policy

Inclusive and Responsible Business is a response to the global phenomenon of transnational corporations exerting control over the economy of many countries, changing the global economic landscape as they hold significant power over the peoples' ability to meet their basic needs (ELSAM, 2019, p. 1).¹¹ Capitalism and neoliberalism have brought on **two types of disparities**. **First, a global governance gap** where many governments are unable to enforce their national laws on business and human rights. On the other hand, multinational companies are unprepared to manage their human rights risks, when their business activities cause or contribute to human rights violations.¹² The **Human Rights Resource Center/HRRC (2013)**¹³ underlined the highly complex nature of regulating business and human rights, where policymaking involves many people. Policies have two types of characters, binding (soft law) or non-binding (hard law). In addition, business and human rights regulations can be at the international, regional, national, or even sectoral levels. Globalization has altered the policy governance landscape from static to polycentric. **Business and human rights policies will not be effective if confined to the national level, but should be reinforced by regional and global policies, or at the supra-state level.**¹⁴

¹¹ ELSAM. 2019. . Perkembangan Bisnis dan HAM di Indonesia. Persepsi Negara, Masyarakat Sipil dan Korporasi, Jakarta

¹² ELSAM. 2019. p. 1

¹³ Human Rights Resource Centre. 2013. Business and Human Rights in ASEAN. A Baseline Study. Jakarta

¹⁴ ELSAM 2019, p. 5

Second, economic and social disparities, where a globalized economy has led to economic instability and inequality across countries, rising unemployment, worsening labor conditions and social exclusion, weakening democracy and state sovereignty, and environmental degradation (Marcuello, 2023). These inequalities are often illustrated by the economic power of corporations and investors on extreme and individuals, children, the poor, and vulnerable on the other extreme (HRRC 2013, p. 1).¹⁵ **In the environmental context, women and children are the most vulnerable owing to gender-biased policies** (INFID, 2021).¹⁶

To address the above mentioned disparities, the UN Secretariat General issued the United Nations **Guiding Principles on Business and Human Rights (UNGPs BHR)** in 2011. Apart from the upholding of human rights, the BHR instrument also seeks to advance the delivery of Sustainable Development Goals (SDGs) by 2030. The UNGPs BHR and SDGs however, hold different viewpoints (INFID, 2021). To improve the quality of human life, the SDGs and their corresponding quantitative targets offer solutions, innovation, and collaboration to achieve the goals, or what INFID (2021) refers to as a positive perspective.¹⁷ **However, a positive perspective has its weakness as it does not pay much attention to the monitoring of businesses' adverse impacts. In contrast to the SDGs, the UNGPs BHR** in their communications are often framed using a "negative" approach. On this issue, the German Global Compact Network¹⁸ contends that 1) corporate human rights due diligence is part of efforts to support the achievement of the SDGs; 2) the UNGPs and

¹⁵ Human Rights Resource Centre. 2013. Business and Human Rights in ASEAN. A Baseline Study, p. 1, Jakarta

¹⁶ INFID. 2021. Kertas Kebijakan. Pengintegrasian Prinsip-Prinsip Pemberdayaan Ekonomi perempuan dan Ketahanan Atas Perubahan Iklim dalam Kebijakan Tentang Bisnis dan HAM di Indonesia (Policy Paper. Integrating the Principles of Women's Economic Empowerment and Resilience to Climate Change into Policies on Business and Human Rights in Indonesia)

¹⁷ INFID. 2021.

¹⁸ Discussion Paper. A Principles-Based Approach to the SDGs-Why it Matters for Business. https://www.globalcompact.de/migrated_files/wAssets/docs/Menschenrechte/Publikationen/DGCN_DIMR_SDGs-and-human-rights_Discussion-paper_December-2020.pdf, retrieved 15 January 2024

SDGs help advance each other; and 3) the UNGPs are conceptually in line with SDG 17 on partnerships. Respect for human rights in the UNGPs BHR provides businesses the foundation on which to built on before any discussion of the positive impacts. For this reason, businesses need to assess their shortcomings and mistakes through risk management. This is why it is often difficult to incorporate the UNGPs BHR into discussions on sustainable development. Nevertheless, the **UNGPs BHR complement the SDGs, especially in terms of the social and political dimensions**, considering that the SDG narrative is typically more focused on the environmental, economic and cultural aspects (INFID and SETARA, 2023).¹⁹

A. Target Audience of the IRB Agenda

Under Law No. 20/2008 on Micro, Small and Medium-Sized Enterprises (MSMEs), businesses differ in terms of their scale, such as micro, small, medium and large enterprises. The UNGPs BHR chiefly targets large-scale businesses, outside the categories laid out in Law No. 20/2008. The UNGPs BHR are strategically directed at transnational corporations, considering their significant role in influencing the economic stability and landscape of many countries as well as their social and environmental impacts (HRRC, 2013; Muchlinski, 2022; and ELSAM 2019).

Transnational corporations generally operate according to capitalist economic principles, where decision-making is determined by shareholders; the principle of profit maximization is used in a narrow sense; and little attention is paid to the social and environmental dimensions. However, according to Healy (2023), the economy is plural, meaning that there are many other economic models. From the Social and

¹⁹ INFID and SETARA. 2023. Index HAM 2023. Stagnasi HAM Menjelang Satu Dekade Jokowi (Human Rights Index 2023. Human Rights Stagnation a Decade into Jokowi's Presidency). PowerPoint Presentation

Solidarity Economy (SSE) lens,²⁰ large capitalist enterprises make up only a **small proportion of the diverse types of models that exist in society** (Figure 1).²¹ An illustration of the community economy iceberg in Figure 1 is not much different from the business structure in Indonesia, where a small proportion (0.08%) are medium and large businesses, and the remaining 99.92% are micro and small-sized enterprises.²² In other words, the crux of economic inequality lies the capitalist economic paradigm, in which the transnational corporations' mindset is rooted.



Source: favpng.com

²⁰ Healy S., Heras Ana I., North P. 2023. Community Economy in Encyclopedia of the SEE. UNTFSSSE.

²¹ Human Rights Resource Centre. 2013. Business and Human Rights in ASEAN. A Baseline Study. Jakarta

²² Databoks website
<https://databoks.katadata.co.id/datapublish/2023/10/13/usaha-mikro-tetap-merajai-umkm-berapa-jumlahnya>, retrieved 9 January 2024.

The more easily recognized SSE enterprises or organizations are cooperatives, social enterprises, Village-Owned Enterprises (VOEs), associations, foundations, and customary institutions. A key differentiating factor between the capitalist and SSE business models is the application of ethical values and democratic decision-making in organizational governance in addition to the 3P framework (people, planet, profit). ASEC in Jayasooria (2023)²³ elaborated the five principles or values in SSE organizations/companies: 1) ethical values, 2) participatory governance, 3) socio-economic benefits for the people, 4) environmental conservation, and 5) economic sustainability (Denison 2023).

In reference to the 5 principles above, SSE organizations / enterprises integrate human rights values into their organizational vision and mission. Micro and small businesses, mostly in the informal sector, dominate the enterprise landscape in quantitative terms, creating 97% of job opportunities and contributing 57% to GDP. Being in the informal sector, micro and small businesses often fall through the cracks when it comes to government policies. This is evidenced by a formal economic system that is dominated by capitalism. The **UNGPs and SDGs are a global effort for inclusive and sustainable economic transformation**. This was reaffirmed by the ILO in an international conference in 2022, stating that the SSE contributes significantly to decent work (decent work).²⁴ In addition, the UN in 2023 issued a statement promoting the SSE for its contribution to achieving the SDGs.²⁵

²³ Jayasooria D and Yu Ilcheong. 2023. *The Sustainable Development Goals in Encyclopedia of the SSE*. UNTFSSSE

²⁴ ILO. *International Labor Conference -110th Session, 2022*. 10 June 2022. *Resolution Concerning Decent Work and the Social and the Solidarity Economy*.

²⁵ UN General Assembly, 27 March 2023. *Promoting the Social and Solidarity Economy for Sustainable Development*

Muchlinski (2022)²⁶ draws attention to State-Owned Enterprises (SOEs), which in Indonesia generally fall under the large business category. According to Muchlinski, not all SOE operations are related to public affairs. If an SOE engages in commercial activities, it should be held accountable for all forms of human rights abuses. **Under the UNGPs BHR, SOEs are expected to mainstream human rights into their business operations and set an example for the enforcement of human rights at the corporate level.**²⁷



Source: dreamstime.com

²⁶ Muchlinski (2022), p. 88. *Advanced Introduction to Business and Human Rights*. Edward Elgar Publishing. U.K.

²⁷ INFID. 2021

Figure 1. Community Economy



Source: Healy S., Heras Ana I., North P. 2023²⁸. Community Economy in Encyclopedia of the SEE.

²⁸ Human Rights Resource Centre. 2013. Business and Human Rights in ASEAN. A Baseline Study. Jakarta

B. Policy Instruments in Support of Business & Human Rights

The urgency of embedding human rights into business has become a global awareness. Many international, regional and national institutions have taken action to promote such integration. Of the existing policy instruments relating to IRB, this study focuses only on 3 of them that are commonly used as references at the ASEAN level, which are the UN Global Compact, ISO 26000, and OECD guidelines for multinational companies (Wagiman, 2019). The three instruments are voluntary in nature, meaning that they are not binding on businesses to apply the principles underpinning the instruments. This voluntary nature is considered by many to be less impactful (soft law) (ELSAM, 2019 and HRRC 2013). In view of this, plans are underway in the UN to develop a legally binding business and human rights policy (see 2.3.4).

1. United Nations Guiding Principles on Business and Human Rights

The Guiding Principles on Business and Human Rights open a new chapter in the relationship between business and human rights. They provide a new approach to policymaking with a **polycentric** orientation, where BHR policies should be approached from many levels—global, regional and national—in addition to other sectoral policies. From a global economic lens, a **polycentric approach can help bridge the governance gap across relevant actors, not only States and corporations, but also civil society** (ELSAM, 2019).

The 3 core principles of the UNGPs BHR are protect, respect and remedy (Figure 2). Member countries, including Indonesia, have accepted all three pillars as commendable values. Indonesia ratified the UNGPs BHR in 2017 (ELSAM, 2019).

Figure 2. Three Pillars of UN Guiding Principles on Business and Human Rights



Pillar 1: Protect

The state duty to protect human rights, where the government should protect individuals from human rights violations by third parties, including businesses.

Pillar 2: Respect

The corporate responsibility to respect human rights, which means not infringing upon internationally recognized human rights by avoiding, mitigating, or preventing the adverse impacts of business operations.



Pillar 3: Remedy

Expanding victim's access to effective remedies, both through judicial and non-judicial mechanisms.



Source: Komnas HAM, 2018

As follow up to a polycentric approach, the UNGPs BHR are to be translated into implementing policies, including at the national level, such as the National Action Plan on Human Rights (Perpres 53/2021) and the National Strategy for Business and Human Rights (Presidential Regulation No. 60/2023). The UNGPs BHR are **voluntary or not binding** on the perpetrators, including multinational corporations, which are the primary target audience. That being said, the effectiveness of the UNGPs on BHR is highly contingent upon the National Action Plan. This means that binding sanctions can be introduced into national policies. Muchlinski (2022)²⁹ describes the criteria for an effective National Action Plan:

1. Should reflect the UNGPs and the relationship between State duty and corporate responsibility in preventing, mitigating and remediating human rights abuses because of the behavior and business activities carried out by the company
2. Should reflect the contextual relevance for a given country in terms of its capacity, which should be in accordance with the historical and cultural contexts, to ultimately design a realistic focus of actions with the most far-reaching impact on prevention, mitigation and remediation
3. Monitoring activity progress should be inclusive and transparent, taking into account the viewpoints of the people or communities affected

²⁹ Muchlinski (2022) p. 80

According to Muchlinski (2022),³⁰ the UK's National Action Plan on BHR is considered a success as it has been widely adopted by other countries. The British government provides support to businesses in implementing BHR principles. Under the BHR policy, there are no sanctions against corporations who fail to fulfill their obligations. Company reporting is encouraged to keep track of progress in the implementation of their human rights policies. Human rights reporting regulations have received a lot of criticism as they are not entirely related to the enforcement of preventive actions against human rights violations in the supply chains of international trade (Muchlinski, 2022).³¹

2 United Nations Global Compact (UNGC)

According to Muchlinski (2022), the UNGC is the first business and human rights instrument issued by the UN in the context of the SDGs. The Global Compact is a multistakeholder initiative that involves non-business actors such as academia, business associations, local governments and civil society. Despite being **voluntary (non-binding) in character**, Muchlinski explains that the UNGC imposes **sanctions on members who renege on their obligation to prepare and publish a report** (Communication on Progress) on progress in implementing the 10 UNGC principles in business. Principles 1 and 2 of the UNGPs are closely related to human rights issues. Under Principle 1, businesses should support and respect the protection of internationally proclaimed human rights, while Principle 2³² ensures that businesses are not complicit in human rights violations.

³⁰ Muchlinski (2022) p. 81.

³¹ INFID and SETARA. 2023 p. 88

³² IGCN website.
https://www.indonesiagcn.org/about_us/principles/ten_principles, retrieved 9 January 2023

Sanctions take the form of downgrading membership tier from active to inactive status. This is in line with the Global Compact's purpose of **stimulating corporate behavior change** instead of regulating. Indonesia is among the countries that has followed up on the UNGC by building a network of businesses and other non-state actors under the Indonesia Global Compact Network (IGCN).

3 ISO 26000 Guidance Standard on Social Responsibility

ISO 26000 guides how corporations can be socially responsible. It places emphasis on a multistakeholder approach with different stakeholder interests; transparency and accountability; ethical behavior; as well as preventive measures and the respect for human rights (ELSAM, 2019).³³ The instrument is applicable to all types of organizations, whether private, public, or non-profit, worldwide³⁴ This Corporate Social Responsibility (CSR) policy is **voluntary** in nature and not for certification purposes unlike other ISO standards. ISO 26000 has received recognition from Standards Bodies in many countries. The key aspects covered by the ISO 26000 include organizational governance, human rights, labor practices, the environment, fair operating practices, consumer and development issues, and community involvement.³⁵

³³ ELSAM.2019 p. 38.

³⁴ ELSAM. *Instrumen Pertanggungjawaban Perusahaan: Perbandingan antara OECD Guidelines, ISO 26000 and UN Global Compact*. Translated from Martje Theuws and Mariette van Huijstee. Corporate Responsibility Instruments: A Comparison of the OECD Guidelines and ISO 26000 & the UN Global Compact. https://referensi.elsam.or.id/wp-content/uploads/2015/02/Instrumen-Pengaturan-B_HAM.pdf, retrieved 9 January 2024

³⁵ LRGA's website. ISO 26000 certification at <https://www.lrqa.com/id-id/iso-26000/>, retrieved 11 January 2024

Implementing ISO 26000 in internal management demonstrates corporate social responsibility and dispel doubts from stakeholders. Furthermore, it enables corporations to mitigate business risks that can lead to potential harm or loss. Another benefit of ISO 26000 is that it can help businesses bolster competitive advantage and set measurable social responsibility targets.³⁶ Alas, the instrument does not provide a verification mechanism, and neither does it have a complaint mechanism for alleged social or environmental abuses committed by business entities.³⁷ A comparison of UNGC, UNGPs BHR, and ISO 26000 is provided in Table 1.

Table 1. A Comparison of UNGC, UNGPs BHR, and ISO 26000

UNGC	UNGP's BHR	ISO 26000
Purpose		
Encourage businesses to adopt sustainable development and social responsibility policies and practices	Encourage corporations to respect human rights and internalize human rights policies in their business processes	Encourage businesses to apply the CSR concept and contribute to sustainable development
Date of adoption		
26 July 2000	16 June 2011	1 November 2011
Target audience		
All countries who have signed up to the UNGC: more than 8000 participants, over 7000 business entities from 145 countries	Mainly multinational companies Government as regulator	Designed for different types of organizations in the public, private and non-profit sectors

³⁶ *Ibid.*

³⁷ *Ibid.*

Character		
Voluntary. Participants commit to implementing the UNGC's ten principles	Voluntary. Encourage governments to protect the people and encourage corporations to respect human rights and ensure redress for victims of human rights abuses	Voluntary. Encourage companies to implement CSR policies. ISO 26000 contains no requirements and not intended for certification.
Monitoring mechanism		
No monitoring and law enforcement. Corporations have the obligation to produce an Annual Communication on Progress (CoP) report, which also serves as a company publication.	Through the National Action Plan on Business and Human Rights, policy harmonization, promotion of human rights in business, and victim remediation. In Indonesia, human rights due diligence (HRDD) through PRISMA.	No verification or enforcement mechanism
Complaint mechanism		
There are Integrity Measures in place	In Indonesia, PRISMA is an instrument for monitoring human rights risks	No complaint mechanism for alleged human rights abuses and non-compliance with ISO 26000

Source: Modified from ELSAM.2013

Due to a narrow view of corporate social responsibility, CSR policies are more often perceived simply as part of **regulatory compliance**, in the sense of participating in free competition. This allows businesses some leeway to treat CSR merely as a philanthropy project. Meanwhile, the government does not make enough effort to control business and investor behavior. Existing policy and institutional frameworks are no longer functioning well in coping with increasingly expansive markets and their adverse environment and social impacts. Neither the government nor corporations feel responsible for human rights abuses arising from investment projects, leaving affected populations unprotected (ELSAM, 2019).³⁸ This should provide a starting point for changing the rules of the game in business and human rights governance (Human Rights Resource Center, 2013, p. 2). **The crux of the problem lies in the absence of an effective control mechanism for corporate power** (ELSAM, 2019),

4. A Legally Binding Instrument on Business and Human Rights

UN Human Rights Council Resolution 26/9 of 2014 on an International Business and Human Rights Instrument has led to the establishment of an open-ended intergovernmental working group with a mandate to elaborate an international legally binding instrument on business and human rights. The working group also looks at non-state actors such as civil society organizations. Gunawan³⁹ mentioned that the Working Group is currently in its ninth session. This legally binding instrument aims to strengthen the UNGPs BHR, especially in regulating transnational corporations.

³⁸ ELSAM 2019, p. xiv

³⁹ Gunawan on INFID website. <https://infid.org/instrumen-ham-yang-mengikat-secara-hukum-untuk-bisnis-transnasional/>. Instrumen HAM yang Mengikat Secara Hukum untuk Bisnis Transnasional (Legally Binding Human Rights Instruments for Transnational Business). Retrieved 4 February 2024.

According to Gunawan, a key reason for the urgency of a legally binding instrument is "the specific and disproportionate business-related impacts in the form of human rights abuses against women and girls, children, indigenous peoples, people with disabilities of African descent, the elderly, migrants, refugees, and people in vulnerable situations." The aim of the legally binding instrument on business and human rights, based on the draft binding BHR policy in 2021,⁴⁰ is to promote the effective implementation of the UNGPs BHR. The instrument will apply to business actors, including transnational corporations.

The Government of Indonesia is likewise paying serious attention to the drafting of a binding policy on business and human rights. According to Achsanul Habib, Director of Human Rights and Humanity of the Directorate General for Multilateral Cooperation under the Ministry of Foreign Affairs,⁴¹ a major challenge in preparing the draft policy is the increasing disinterest of UN members to be involved in the policymaking process. Without the active engagement of all UN members, the binding policy cannot be ratified.

⁴⁰ OEIGWG Chairmanship Third Revised Draft 17.08.2021. Legally Binding Instrument to Regulate, in International Human Rights Law, the Activities of Transnational Corporations and Other Business Enterprises.

⁴¹ IGJ website, <https://igi.or.id/2022/10/31/indonesia-focal-point-for-corporate-accountability-conducts-audience-with-the-ministry-of-foreign-affairs-of-the-republic-of-indonesia-discussing-corporate-accountability-issues-in-business-activitie/?lang=en>, retrieved 22 December 2023

III. ASEAN Business and Human Rights Policies and their Implementation

A. IB, RBC, and CSR Policies

The issue of business and human rights has been incorporated into the **ASEAN Socio-Cultural Community Blueprint 2025 and ASEAN Economic Blueprint**. The two documents underline ASEAN's commitment to inclusive development in creating an inclusive society that promotes high quality of life and equitable access, and protects the rights of women, children, youths, the elderly, people with disabilities, migrant workers, and marginalized groups. Furthermore, ASEAN seeks to promote good, transparent governance, as well as governments with responsive policies through the involvement of the private sector, civil society, and other policy stakeholders in decision-making.⁴² CSR on the other hand is mentioned in the economic blueprint. This is in line with an ASEAN survey (2017), which found that **most business entities are aware of and have adopted the CSR framework but less on IRB**.⁴³

⁴² ASEAN Economic Blueprint 2025. ASEAN Secretariat. <https://asean.org/book/asean-economic-community-blueprint-2025/>, retrieved 12 January 2024

⁴³ ASEAN. 2018. The Voice of Business in ASEAN. Awareness on Responsible and Inclusive Business Policies, where CSR is widely known among ASEAN businesses. <https://www.asean-csr-network.org/c/news-a-resources/csr-news-from-around-asean/1291-the-voice-of-business-in-asean>, retrieved 26 December 2023

Upon studying ASEAN's IRB policy framework, **many terminologies were found to be related to the concept of business and human rights**, including Inclusive Business (IB), CSR, Social Enterprise, Social Business, and RBC.⁴⁴ This confuses stakeholders, as shown by an ASEAN survey (2017) of businesses in ASEAN member states. **Companies generally understand the concepts of CSR and IB, but know less about RBC.**⁴⁵ **Further clarification of the three definitions is therefore recommended.**⁴⁶

This study reviews at least three ASEAN policy frameworks that are interrelated with IRB (**Table 2**): 1) ASEAN Action Plan for CSR, 2) Guidelines for Promotion of Inclusive Business in ASEAN, and 3) OECD's Responsible Business Conduct (2018),⁴⁷ defined as below:

RBC principles and standards set out an expectation that all businesses – regardless of their legal status, size, ownership structure or sector – avoid and address negative impacts of their operations, while contributing to the sustainable development where they operate. RBC means integrating and considering environmental and social issues within core business activities, including throughout the supply chain and business relationships.

⁴⁴ ASEAN 2020. Guideline for the Promotion of Inclusive Business in ASEAN.

⁴⁵ OECD. 2020. Responsible Business Conduct and Anti-Corruption Compliance in Southeast Asia.

⁴⁶ Interview with Destry Anna Sari, Assistant Deputy for Business Consultation and Assistance at the Ministry of Cooperatives and SMEs, on January 19, 2023, who acknowledges the use of many terminologies, and an agreement has been reached to not make an issue of the definition, but rather focus on discussing IB strategy policies and their implementation.

⁴⁷ Ibid.

Responsible business conduct is about protecting corporations from risks arising from the negative consequences of their business operations. In line with this, RBC encourages corporate contribution to sustainable development. Through RBC, businesses are expected to integrate and consider environmental and social issues in business and supply chains, as well as business relationships. **As RBC also refers to the UN Guiding Principles on Business and Human Rights, it is therefore relatively similar to IRB.**

Table 2. A Comparison of ASEAN Policy Frameworks of IB, RBC, and CSR.

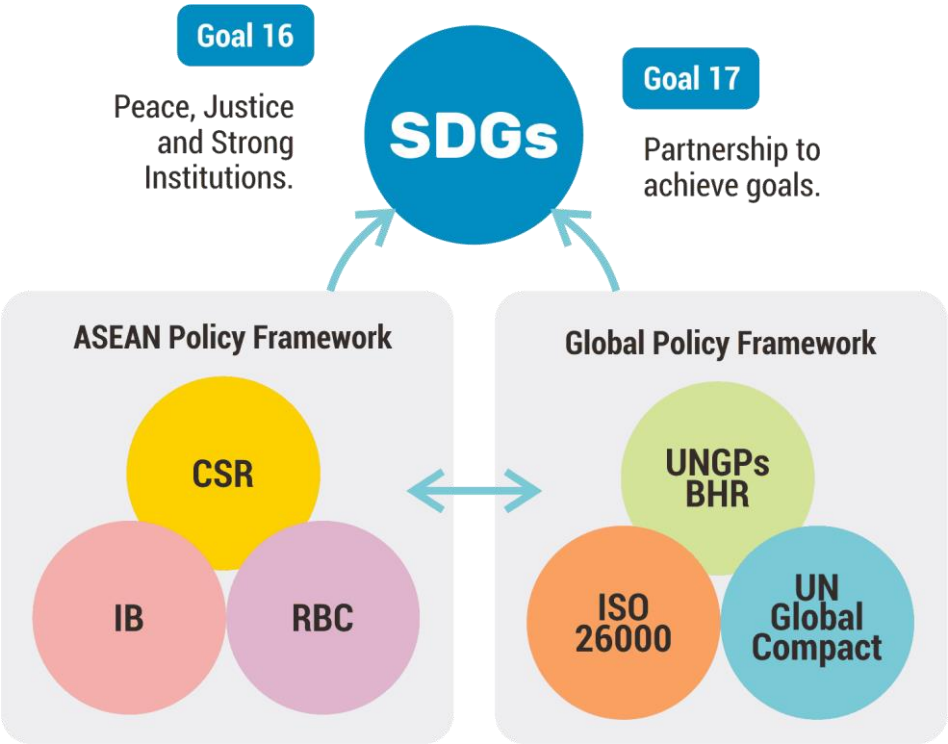
Inclusive Business	Responsible Business Concept	Corporate Social Responsibility
Definition		
A management concept where corporations integrate social and environmental concerns into their business operations and interactions with stakeholders.	A guidance standard for businesses to avoid negative impacts due to business operations.	Corporations take into account the impact of their operations on society and affirm their principles and values, both in internal processes and in interactions with society and other actors.
Purpose		
To promote inclusive development by opening up economic opportunities for those at the bottom 40% of the pyramid	Through RBC, businesses can contribute positively to economic growth and become drivers for the achievement of the SDGs	The way in which corporations balance economic, environmental and social interests, while meeting the expectations of shareholders and stakeholders
ASEAN policy		
Guide to promoting inclusive business in ASEAN, 2020	OECD Due Diligence Guidance for Responsible Business 2020	ASEAN Guidelines for CSR on Labor. 2017

Human rights component		
Not specifically mentioned	Refers to the UNGPs BHR	Human rights are explained in terms of activities that businesses should not engage in, such as forced labor and child labor, and in regard to labor-employer relations, etc.
Mechanism		
The establishment of IB Coordinator institutions in each country. A Steering Committee is formed to monitor the action plan. Through the IB ecosystem, such as strategies and action plans, IB promotion, accreditation and registration, increased awareness, assistance to businesses, investment incentives, public procurement, monitoring and evaluation.	Embedded into the core business and along the supply chain and business networks. The establishment of a National Contact Point for RBC to promote RBC guidelines and handle corporate cases. Risk-based due diligence	In each ASEAN member country, trilateral cooperation is built to foster social dialogue and agree on an action plan. Corporations should plan CSR initiatives and report regularly. Generally adopts a traditional approach as a philanthropic activity.

Source: Compiled by the researcher based on a literature review

By comparing IB, RBC, and CSR, it was found that all three concepts enable the achievement of the SDGs (Figure 3). SDGs 16 and 17 are closely associated with business and human rights. The IB concept emphasizes wider opportunities for MSMEs and marginalized groups to be involved in the supply chain of business enterprises, while RBC focuses more on risk management in terms of the negative impacts of businesses such as human rights abuses and environmental damage.

Figure 3 SDGs as Shared Goals for IRB Policy Instruments



Source: Researcher

In 2018, ADB conducted an Inclusive Business study of Asia Pacific. The 3 approaches to IB implementation: 1) IB models, medium-to-large businesses that apply the IB model in their supply chains; 2) IB activities, large and midsize businesses that implement the IB framework as part of CSR activities; 3) Social Enterprise (SE) initiatives, businesses forming an institution/foundation for non-profit maximization.

Not only did the study showed a projected increase in the number of businesses adopting the IB approach, but also the social impacts, as provided in Table 3 below.

Table 3. Estimated Social Impact of Inclusive Business in Asia Pacific

IB Approach	# businesses		# jobs created	
	2016	2025	2016	2025
IB model	130	455	585,000	2,047,500
IB/CSR activity	127	306	127,000	306,000
SE initiative	245	1,070	68,600	299,600

Sumber: ADB (2018)

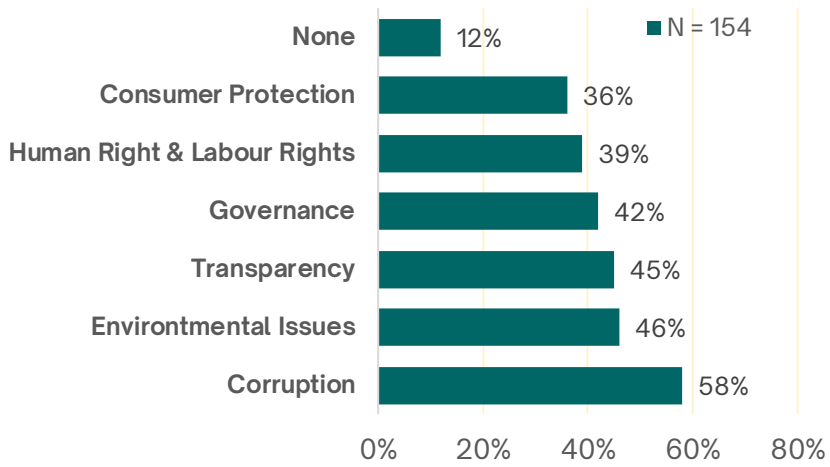
B IRB Policy Implementation in ASEAN

A survey of businesses in ASEAN member states conducted by the OECD revealed that the majority of firms (91%) are actively engaged in responsible business practices by incorporating social and environmental concerns into company-wide activities,⁴⁸ manifested through corporate policies that regulate the management of at least one aspect of sustainable development. Most respondents without a formal written policy in place are micro enterprises with fewer than 10 (ten) employees. Notwithstanding the implementation challenges, where **less than half (46%) of businesses conducted an assessment of environmental and social risks as part of the due diligence process**, most (60%) respondents are managing risks either directly or indirectly for at least one issue. Among the current problems, corruption was the most commonly reported issue, followed by environmental concerns (**Figure 4**).

The OECD identified the reasons why businesses have a risk management policy in place: 1) they understand the importance of risk management for the benefit of society and the environment (39%); 2) it is a statutory obligation (38%); and 3) to avoid the risk of reputational damage (32%). The OECD (2018) concluded by highlighting that in many cases **businesses need policies and regulations to establish and enforce comprehensive internal integrity mechanisms**.

⁴⁸ OECD. 2018. OECD Investment Policy Reviews: Southeast Asia

Figure 4. Main Risks Faced by Businesses



Source: OECD, 2020.



Sumber Gambar: Vecteezy.com

IV. IRB Policy Framework and its Implementation in Indonesia

A. National Strategy for Business and Human Rights

The Government of Indonesia pays considerable attention to the implementation of the UNGPs BHR by establishing a National Action Plan on Human Rights for 2021 - 2025 through Presidential Regulation No. 53/2021, which involves a committee of relevant government ministries under the coordination of the Ministry of Law and Human Rights. This was followed by the development of a National Strategy on Business and Human Rights (NS BHR) through Presidential Regulation No. 60/2023 with the Ministry of Law and Human Rights as the focal point. Under the NS BHR, a National Task Force was formed in pursuance of a Law and Human Rights Ministerial Decree, which was then rolled out to regions with the establishment of Local Task Forces.

The National Task Force is headed by the Director of Business and Human Rights of the relevant Ministry. Its main tasks are as follows:⁴⁹

1. Propose an Action Plan on Business and Human Rights

⁴⁹ Perpres 60 Tahun 2023 Tentang Strategi Nasional Bisnis dan HAM (Presidential Regulation No. 60/2023 on the National Strategy for Business and Human Rights)

2. Coordinate and harmonize the implementation of the National Strategy for Human Rights at the national and subnational levels
3. Coordinate monitoring and evaluation of the implementation of the National Strategy for Business and Human Rights at the national and subnational levels
4. Report the implementation of the BHR Action Plan to the Minister

The National Task Force consists of key stakeholders with a good representation of non-state actors. Besides representatives from government ministries and institutions, membership also includes the following non-governmental partners:

1. Indonesian Chamber of Commerce and Industry (KADIN).
2. Indonesian Employers Association (APINDO)
3. Foundation for International Human Rights Reporting Standards (FIHRRST)
4. Indonesia Global Compact Network (IGCN)
5. Institute for Policy Research and Advocacy (ELSAM)
6. Djokosoetono Research Center (DRC)
7. Indonesian Young Entrepreneurs Association (HIPMI)
8. SETARA Institute
9. International NGO Forum on Indonesian Development (INFID)

The Strategic Plan on Business and Human Rights is a significant step forward in the upholding of human rights in Indonesia, as it is expected to bring forth policies and regulations that businesses can adopt to respect and protect human rights, and provide access to remedy for human rights abuses. It was prepared through a participatory process, involving key stakeholders such as government ministries and agencies, corporations (SOEs and private companies) and civil

society. A Business and Human Rights Working Group was also formed to bridge discussions between CSOs and corporations (KOMNAS HAM and ELSAM, 2017).⁵⁰

Under Presidential Regulation No. 60/2023, the development of a National Strategy for Business and Human Rights should be informed by the reviews and studies of **three sectors: plantation, mining and tourism**. This is probably due to the fact that the three said sectors received the most complaints, which were lodged with Komnas HAM (Komnas HAM, 2023).⁵¹ Based on this evidence, the NS BHR was formulated, focusing on the following three-pronged approach:

1. Increase understanding, capacity, and promotion of business and human rights for all stakeholders
2. Develop regulations, policies, and guidelines that support the protection of and respect for human rights
3. Strengthen effective remedies for victims of alleged business-related human rights abuses

The above three-pronged strategy reflects the UNGPs and the interlinkages between State and corporate obligations in terms of prevention and mitigation, as well as remediation for those affected by alleged human rights abuses. The first prong focuses on the government's effort to promote the BHR concept to stakeholders. PRISMA (Business and Human Rights Risk Assessment) is part of a strategy to enhance stakeholder understanding and capacity, and eventually also serves as an instrument for monitoring progress in business implementation of human rights policies. It is a self-assessment app to help business entities evaluate human rights risks linked to their

⁵⁰ KOMNAS HAM and ELSAM. 2017. Rencana Aksi Nasional Bisnis dan Hak Asasi Manusia (National Action Plan on Business and Human Rights)

⁵¹ Not mentioned in the KOMNAS HAM and ELSAM 2017 document, but presumed to be related to the human rights situation in Indonesia as reported by KOMNAS HAM. 2023.

business activities.⁵² **As the instrument is voluntary in nature, the challenge lies in how companies can be encouraged to carry out due diligence through PRISMA.**

The KOMNAS HAM-ELSAM (2017) study brought attention to the 3 interrelated aspects in the Action Plan: decentralization, MSMEs, and SOEs. In the context of **decentralization**, local governments are obliged to reinforce efforts aimed at the promotion and protection of human rights, for which the central government is primarily responsible, by establishing a Local Task Force on Business and Human Rights. Regarding MSMEs, it is critical to take into account the overwhelming preponderance of micro and small businesses in Indonesia (99.92%), in which the use of child labor is commonplace. On the other hand, lack of government guidance and supervision means the inability of many micro and small business to meet products' health and safety standards. Furthermore, micro and small businesses are predominantly in the informal sector, which is often overlooked in government policies. These enterprises typically exist owing to the scarcity of formal employment opportunities. Under such circumstances, for those at the bottom rung of the economic ladder, social protection, which is a government obligation to provide, becomes a requisite to enable micro and small entrepreneurs to successfully run their businesses. **This indicates that not only are there rights that businesses must fulfill, but also fundamental rights that the government must realize.**

The third aspect is SOEs. Given the strategic role of SOEs who primarily operate in the infrastructure sector, the National Action Plan on Business and Human Rights can help SOEs and private enterprises actively contribute to advancing human rights, while bolstering the economy.⁵³

⁵² DJHAM website <https://prisma.kemenkumham.go.id>, retrieved 14 January 2023

⁵³ This aligns with the views of Muchlinski T. Peter (2022). *Advanced Introduction to Business and Human Rights*. Edward Elgar Publishing. UK

B. Inclusive Business Policy Framework in Indonesia

In Indonesia, the idea for a policy framework specifically on Inclusive Business (IB) first came about in 2013, but has yet to be actualized by the government.⁵⁴ Under ASEAN's IB Guidelines of 2020, Indonesia's IB status is still **under consideration**. Nevertheless, Indonesia already has its first ever IB map, which identified 30 inclusive domestic businesses, especially in the agribusiness sector (ASEAN, 2020).⁵⁵ In 2016, an IB Working Group was formed under the Coordinating Ministry for Economic Affairs.⁵⁶ Three years later, in 2019, the Coordinating Ministry for Economic Affairs worked in concert with the Ministry of Cooperatives and SMEs, Ministry of Health, and BAPPENAS to develop an IB roadmap with a focus on the tourism industry as a model. The IB Roadmap for the tourism industry aims to promote IB through four strategies: commitment and coordination; information and awareness-building of stakeholders; capacity development; and market relations and incentives.

The ASEAN Inclusive Business Summit on an annual basis bestows awards to companies that have successfully adopted the IB model. Based on the ASEAN IB Guidelines, the award criteria include business activities with positive social impact; have extensive social impact reach on relevant stakeholder groups; and sustained promotion efforts. The criteria by implication are relevant to the character of a social enterprise. The Government of Indonesia has drafted a Bill on Social Enterprise, but has not been passed by the DPR (House of Parliament). The Bill defines social enterprise as a venture whose vision and mission is to solve social issues and/or stimulate positive changes for the welfare of society and the environment through activities that have measurable impact, and

⁵⁴ An interview with Destry Anna Sari, Assistant Deputy for Business Consultation and Assistance at the Ministry of Cooperatives and MSMEs, on January 19, 2023, who confirmed the absence of a specific IB policy framework in Indonesia.

⁵⁵ ASEAN. 2020. Guideline for Promotion of Inclusive Business in ASEAN

⁵⁶ ASEAN. Guideline for the Promotion of Inclusive Business in ASEAN. Briefing Note for Indonesia, p. 1

who reinvests most of its profits into supporting the stated mission (British Council, 2018).⁵⁷ Pursuant to Presidential Regulation No. 2/2022, a social enterprise is someone who is socially minded with an acute business sense that allows the person to spot business opportunities and provide solutions to social and environmental problems.

Indonesia and other ASEAN member countries are seeing a rise in social entrepreneurship. The British Council and UNESCAP (2021)⁵⁸ underscore the importance of social enterprises in ASEAN member states in contributing toward the supply of labor, albeit most of whom are in the informal sector. Social enterprises play a vital role in bridging economic, social and environmental gaps. This is almost similar to the values that the IB concept can offer. In terms of business scale, the ASEAN IB Guidelines categorize social enterprises as small and medium-sized enterprises, whereas IB models are classified as large enterprises. With this in mind, the ASEAN IB Guidelines recommend establishing clear linkages between **IB, SE and CSR policies that can spur businesses toward high economic growth and making a far greater impact (ASEAN, 2020).**⁵⁹ Based on a comparison of the benefits of IB and RBC for businesses (Table 3), it was found that IB is preferred for its cost efficiency, while RBC helps build good business reputation. From the public's perspective, the IB concept is seen to be beneficial as it provides wider access to job opportunities, whereas RBC is more about the protection of the rights of workers and society in general.

⁵⁷ British Council and UNESCAP. 2018. Developing an Inclusive and Creative Economy. The State of Social Enterprise in Indonesia. Jakarta: PLUS

⁵⁸ British Council, UNESCAP, 2021: The State of Social Enterprise in Southeast Asia

⁵⁹ ASEAN. 2020. Guideline for the Promotion of Inclusive Business in ASEAN

Tables 3. Benefits of IB and RBC for Business and Society

Inclusive Business	Responsible Business Conduct
Business	
<ol style="list-style-type: none"> 1. Reduce procurement costs of goods and raw materials, both in terms of efficiency and process continuity 2. Help overcome the recruitment issue of finding qualified employees through community-based training 3. Help guarantee supply, especially of agricultural products 	<ol style="list-style-type: none"> 1. Improve company reputation 2. Increase market access 3. More cost-efficient due to reduced human rights risks 4. Greater social support from the local community 5. Ensure business sustainability
Society (40% BoP)	
<ol style="list-style-type: none"> 1. Create new job opportunities 2. Increase income 3. Improve productivity 4. Help meet basic necessities (water, electricity, etc.) 	<ol style="list-style-type: none"> 1. Guarantee the fulfilment of labor rights 2. Protect local communities in which the company operates from the adverse impacts of business activities

Source: Modified from the Coordinating Ministry, 2020



Sumber Gambar: Vecteezy.com

V. The Role of CSOs in Promoting IRB

A. The Role of CSOs in ASEAN and Indonesia

Civil society organizations have a central and strategic role to play in ensuring the implementation of IRB policies in ASEAN. With a deep understanding of the local dynamics and domestic situation, CSOs become the **eyes and ears** that are sensitive to economic inequality and adverse social impacts that may arise from certain business models and practices in Southeast Asian countries. Trade unions are the defenders of the rights of workers and migrant workers who play a pivotal role in ensuring inclusive business practices that also intensively involve concrete forms of protection of labor rights. AFWA and its regional-level advocacy in support of labor unions sets an example of how a multistakeholder approach (government, business, and CSOs) is effective in actualizing mutual agreements on business and human rights (see box). The **absence of an effective regulatory framework at the ASEAN level, which specifically regulates the role of CSOs in policymaking mechanisms in Southeast Asian countries**,⁶⁰ constitutes a challenge for CSOs in conducting advocacy work at the ASEAN level.

⁶⁰ Conclusion drawn from analyzing legally binding instruments in ASEAN's inclusive business framework, see <https://asean.org/wp-content/uploads/2021/09/ASEAN-Inclusive-Business-Framework.pdf>

CSOs have the capability to **increase public awareness** of IRB in ASEAN. By pooling strengths with think-tanks, as well as research and academic institutions, CSOs will be better able to carry out strategic actions: (a) be independent watchdogs to ensure transparency and accountability in business practices; and (b) help build public support for the implementation of sustainability-oriented policies.

In Indonesia, ELSAM and its network have significantly contributed to the formulation of the Human Rights Action Plan for 2021-2025 (Presidential Regulation No. 53/2021) and the Business and Human Rights Strategic Plan for 2023-2025 (Presidential Regulation No. 60/2023). Based on the literature review and interviews conducted in this research, CSO movements promoting IRB can be classified into four groups.

First, a civil society network **promoting IRB through IB policies**. The network consists of Oxfam Indonesia, the International NGO Forum on Indonesian Development (INFID), PRAKARSA, People's Coalition for Food Sovereignty (KRKP), and Association for Assistance to Women in Small Business (ASPPUK). At the 6th ASEAN IB Summit held in Bali in 2023, this civil society network organized side events in between Inclusive Business meetings.

Second, a civil society movement advocating **business and human rights policies** to the government, companies, and the wider public. Organizations in the movement include ELSAM, SETARA, INFID, and the Human Rights Working Group (HRWG).

Third, trade unions and workers alliances at the regional and international levels in joint advocacy, providing **support and assistance, and keeping track of the resolution of business-related human rights cases**. An example is the Alliance of Independent Journalists and its work in developing a Standard Operation Procedure for addressing sexual violence in the workplace.

Fourth, CSOs dedicated to monitoring international trade policies, such as the work carried out by the Institute for Global Justice, Solidaritas Perempuan, People's Coalition for the Right to Water (KRuHA), Indonesian Human Rights Committee for Social Justice (IHCS), and Indonesian Forum for the Environment (WALHI). These four nodes connected to a larger CSO movement are separate entities, but are open to each other and mutually supportive.

The inclusive and responsible business framework has been widely applied in the economic endeavors of organizations or business entities through social and solidarity economy platforms such as cooperatives and social enterprises.⁶¹ This is a strength that CSOs can draw from to promote IRB by engaging in IRB practices themselves.



Source: freepik.com

⁶¹ In Indonesia, the term social and solidarity economy is not widely known. However, for advocacy purposes, using the term social enterprise is more acceptable to the government. However, social enterprises established by corporations cannot be categorized as SSE organizations.

Dindigul Agreement: A Success Story of Human Rights Due Diligence for Garment Workers in Tamil Nadu, India⁶²

The Dindigul Agreement seeks to eliminate gender-based violence and Harassment at apparel manufacturer Eastman Exports in Tamil Nadu, India. It all started when Jeyasre Kathirave, a 20-year-old Dalit woman, was found dead near her home after finishing a shift at Natchi Apparel, an factory making clothes for H&M in Kaithan Kottai, Tamil Nadu. Her family was convinced that Jeyasre was a victim of sexual harassment and murder.

The Agreement was entered into in April 2022. The parties to the agreement were a group of trade unions and companies. The labor unions consisted of the Dalit-worker-led Tamil Nadu Textile and Common Labor Union (TTCU), Asia Floor Wage Alliance (AFWA), Global Labor Justice Forum (GLJ-ILRF), while the companies were Eastman Exports Pvt Ltd and global fashion brands Gap Inc., H&M, and PVH Corp. They declared their commitment to mutual accountability for ending gender and caste-based violence and harassment. One year into the agreement, the female workers at Eastman Exports in Dindigul could feel the positive impacts.

Based on the internationally recognized concept of freedom of association (FOA), workplace discrimination on the basis of caste and immigration status must be eradicated. The Dindigul Agreement is grounded in national and international labor standards and best practices such as those from the ILO, OECD, India's national laws, UNGPs BHR and AFWA's "Safe Circle Approach"⁶³ best practice. An intensive process led by women's trade unions, combined with strong incentives and consequences for participation and cooperation with suppliers, makes the Dindigul Agreement a model for investors, brands, and suppliers to stay committed to preventing gender-based violence. It also reflects best practices in terms of mandatory human rights due diligence policies and import bans on goods made using forced labor.

Source: Dindigul Agreement, 2023

⁶² AFWA, TTCU, GLJ-ILRF. 2023. Dindigul Agreement. Year 1 Progress Report.

⁶³ Safe Circle Approach aims to prevent gender-based violence starting from the production line in the factory (workplace). Interview with Rizki Estrada O.P, AFWA Indonesia Country Coordinator, 15 January 2024

Indonesian CSOs and the work undertaken to promote IB and IRB:

Name of Organization	Advocacy Focus	Outcome
ELSAM, 2019	Policy studies to inform the Strategic Plan on Business and Human Rights	Presidential Regulation No. 60/2023 on a Strategic Plan on Business and Human Rights
ASPPUK, PEKKA, PPSW, Kapal Perempuan, Koalisi Perempuan Indonesia, 2021	Promoting business from a gender perspective	Training on business from a gender perspective
INFID and SETARA, 2023	Human rights index in Indonesia on civil and political rights, as well as economic, social and cultural rights	Indonesia's Human Rights Index 2023 from CSOs' perspective
AJI, 2023	Preventing and addressing sexual harassment in the workplace	Guidelines or standard operating procedures (SOP) for preventing and addressing sexual violence in the media under the Journalists Alliance
KRKP, 2023-2024	Policy research and advocacy on protecting small-scale rice mills in 5 districts	A business and human rights policy based on the Fair for All principle at the district level that has helped protect small scale/community rice mills from the expansion of large scale/multinational corporations
The Prakarsa, 2023-2024	Policy research on HRDD practices in fish processing companies in ASEAN countries	Ensuring that fish processing companies or industry are both inclusive (in networking with small-scale enterprises) and responsible (socially and economically responsible)

<p>ASPPUK, PEKKA, PPSW, Kapal Perempuan, Koalisi Perempuan Indonesia, 2023-2024</p>	<p>Creating an enabling environment for women entrepreneurs to ensure equal opportunities to succeed in business</p>	<p>Women-owned businesses and MSMEs at the local level are progressing toward becoming inclusive and sustainable</p> <p>Promoting equal access and opportunities to remove barriers that hinder women's access, including to business opportunities.</p>
<p>IGJ, Fian Indonesia and CSO Coalition</p>	<p>Intensifying advocacy for business and human rights at the international level regarding the UN LBI</p>	<p>Increased efforts to ensure that transnational corporations (TNCs) respect human rights that is binding/mandatory in nature</p>
<p>INFID, 2016-2024</p>	<ul style="list-style-type: none"> - Together with ELSAM, Konsil LSM, Oxfam Indonesia, and CSO coalitions intensify policy advocacy on business and human rights in Indonesia - Advocating intensively for Inclusive Business (IB) and Inclusive and Responsible Business (IRB) 	<ul style="list-style-type: none"> - Encouraging issuance of a Presidential Regulation on National Strategy for BHR - In 2023, INFID partnered with the Indonesian Chamber of Commerce and Industry (KADIN), Indonesian Employers Association (APINDO), Foundation for International Human Rights Reporting Standards (FIHRRST), Indonesia Global Compact Network (IGCN), Institute for Policy Research and Advocacy (ELSAM), Djokosoetono Research Center (DRC), Indonesian Young Entrepreneurs Association (HIPMI), and SETARA Institute for Democracy and Peace as the National Business and Human Rights Task Force.

Based on observations on the dynamics of IB and IRB policies and CSO-led advocacy, CSOs’ level of advocacy engagement is illustrated in Figure 4. For the IRB agenda, CSOs are highly engaged in advocacy with high-level policy readiness. Presidential Regulation No. 20/2023 provides national and subnational-level government ministries and institutions a legal basis for allocating budgetary funds for implementing action plans. However, the National Strategy for Business and Human Rights was only recently issued in 2023, and as such the relevant government ministries and agencies need to closely monitor the implementation of the BHR action plans. Similarly for the IB agenda, CSOs show high-level advocacy engagement, both in terms of influencing relevant ministries and providing assistance and support to beneficiaries. Nevertheless, there are advocacy challenges due to the absence of an ‘umbrella government policy’ that comprehensively covers IB as a whole. The only available policies are the ones under certain individual ministries such as the Ministry for Women’s Empowerment and Child Protection.

Table 4 Analysis Matrix of CSO Advocacy Engagement Level and Policy Adoption

CSO advocacy engagement	<i>High</i>	No IB umbrella policy, CSOs’ level of support and assistance to ministries/agencies is fairly high	NS IRB and multistakeholder BHR Task Force in place with CSO engagement
	<i>Moderate</i>		
	<i>Low</i>		
		<i>Not available</i>	<i>Under consideration</i>
			<i>Policy in place</i>

B Challenges to Promoting IRB in ASEAN and Indonesia

In ASEAN

- The many **business terminologies** and IRB policy frameworks have made IRB implementation less effective.
- ASEAN member states have different national laws and policies, and political systems. This can also mean further dissimilarities in terms of freedom of opinion, freedom of association, and access to information. CSOs face difficulty in establishing a uniform strategy to promote and protect the interests of civil society and workers' rights across ASEAN member countries.⁶⁴
- Varying economic and political developments in ASEAN countries create gaps in understanding labor issues that can complicate effective coordination between organizations. CSOs should be **able to adapt to these dynamics in order to devise strategies that are responsive to changes in the political and economic environments in ASEAN.**
- The ASEAN Guidelines on Accreditation of Civil Society Organizations, as quoted by Tadem (2017),⁶⁵ indicate how ASEAN perceives CSOs:

⁶⁴ Aggarwal, V. K. & Chow, J. T. (2010) “*The perils of consensus: How ASEAN’s meta-regime undermines economic and environmental cooperation*”, in *Review of International Political Economy*, 17:2, pp. 262-290. Retrieved from https://www.tandfonline.com/doi/full/10.1080/09692290903192962?casa_token=mQ0XHG_aQ2YAAAAA%3A3fpmZcE9wfxNFvRGWKLptYvZKv3thIHf960geAF66tPPBaR38XrKdIXK_siplGZsavyNQzIbPI_EEw

⁶⁵ Tadem, Eduardi C. et al., 2017. Deepening Solidarities Beyond Borders Among Southeast Asian People. UPCIDS, University of Philippines

“A non-profit organization of ASEAN entities, natural or juridical, that promotes, strengthens, and helps realize the aims and objectives of ASEAN Community and its three Pillars – the ASEAN Political Security Community, The ASEAN Economic Community and The ASEAN Socio Cultural Community.”

The definition above shows ASEAN envisioning CSOs supporting the policies and goals that member countries have agreed upon (top-down), which goes beyond CSO participation in decision-making processes. ASEAN's relationship standards with CSOs will have a bearing on CSO engagement in advocating IRB.

In Indonesia

- Different government institutions (focal point) for different policies. For the IB agenda, the focal point is the Ministry of Cooperatives and MSMEs, while for IRB it is the Ministry of Law and Human Rights. This poses a challenge to national-level coordination and to the effectiveness of CSO advocacy.
- The Business and Human Rights Action Plan takes a blanket approach to its target audience, encompassing the whole gamut of businesses, from micro and small enterprises to large corporations. Given that most micro and small businesses operate in the informal sector, whose existence is indirectly the consequences of formal government policies, there are concerns that the Action Plan will lose focus of its primary aim of targeting large corporations.
- The absence of a national policy framework on Inclusive Business makes it hard for CSOs to develop effective advocacy strategies to ensure its implementation.

- According to ADB (2016),⁶⁶ the adoption of the IB model does not guarantee women's empowerment in business. This is because companies pay less attention to the barriers that women face in society.
- The Labor Act under the Omnibus Law that was passed during President Joko Widodo's leadership for 2019-2024 is more concerned about investment than labor protection,⁶⁷ for the purpose of reducing the risk of social conflict in the drafting for labor regulations.⁶⁸ This calls for a well-thought-out strategy for CSOs to coordinate effectively between organizations.
- CSOs do not have a map of social enterprises on social and solidarity economy platforms that can be an advocacy tool for building public awareness of Inclusive and Responsible Business.



Source: startupcroydon.co.uk

⁶⁶ ADB. 2016. How Inclusive is Inclusive Business for Women? Examples From Asia and Latin America

⁶⁷ IGJ website. <https://igj.or.id/2019/11/25/menakar-isi-omnibus-law-cipta-lapangan-kerja-umkm/>, retrieved 19 January 2024.

⁶⁸ Khair, Otti Ilham. Analisis Undang-Undang Cipta Kerja Terhadap Perlindungan Tenaga Kerja di Indonesia (Analysis of the Job Creation Law on Labor Protection in Indonesia). Widya Pranata Hukum. Vol. 3 No. 2. September 2021. Otti Ilham Khair. <https://media.neliti.com/media/publications/548668-none-1f35077c.pdf>, retrieved 19 January 2024.

VI. Recommended Strategies for Strengthening the Role of CSOs in Promoting IRB

1. Optimize the role of CSOs in the National Task Force

With INFID and other NGOs joining the National Task Force on the National Business and Human Rights Strategy by virtue of Presidential Regulation No. 60/2023, the role that CSOs play becomes even more strategic. As an Indonesian NGO Forum, INFID needs to embrace all advocacy groups advancing the business and human rights agenda. The best practices of various CSO networks should be compiled and shared as knowledge and an advocacy tool to increase IRB awareness to all stakeholders, including the government, business, and the public at large. Policy advocacy for both IB and IRB should continue considering their complementary roles.

Activities:

- a. Develop a roadmap with CSOs to promote IB and IRB and delegate tasks for implementing the roadmap according to the area of focus of each CSO group.
- b. Convene regular meetings for knowledge sharing among CSOs regarding progress and challenges in promoting IB and IRB (related to recommendation 2)
- c. Encourage CSOs and social enterprises/SSE in Indonesia to better understand the UNGPs BHR
- d. Build an IB ecosystem, especially social enterprises (SSE), by awarding those who have performed well, which can be used as advocacy material

2. Build a Joint Knowledge Management System on Business and Human Rights

Under a polycentric system of governance, Indonesian CSOs need to be knowledgeable in existing policy maps at the national and ASEAN levels to be able to formulate the right strategy for policy advocacy and providing support and assistance to the community.

Activities:

- a. Conduct research with the private sector on business and human rights pertaining to the IB and IRB ecosystems
- b. Develop modules on IB and IRB to be shared with stakeholders (related to point 5.2)
- c. Develop guidelines for building the awareness of stakeholders at all levels
- d. Study how the National Strategy for Business and Human Rights aligns with the SDGs



Source: Vecteezy.com

3. Promote and Advocate IB and IRB Policies to All Stakeholders in ASEAN and Indonesia

Taking into account the multitude of national, regional and sectoral policies, it is crucial to adopt the SDG narrative when advocating business and human rights to reconcile the different interests. Furthermore, given the closed nature of the decision-making mechanism at the ASEAN level, CSO engagement in ASEAN can start from the government level of the respective member states.

Activities:

- a. Maintain engagement at the ASEAN level to promote IB by showcasing best practices of social entrepreneurship in Indonesia. One of the recommendations put forward at the ASEAN IB Summit 2023 in Bali is the need for knowledge building, with Indonesia taking the lead. CSOs should provide input on the IB Knowledge Hub from a CSO perspective.
- b. Participate in monitoring IRB development with AICHR
- c. Build dialogue in order to find points of convergence in BHR advocacy strategy options, between soft law and hard law.
- d. Consolidate networks through participation in the ASEAN Civil Society Conference (ACSC/APF)
- e. Engage in regular consultations between CSOs and businesses

4. Foster Collaboration with Businesses to Promote IB and IRB

The private sector or medium-to-large enterprises are the primary targets of the UNGPs BHR. CSOs should therefore increase collaboration with businesses in developing IRB-related modules. Having a good understanding of how companies think would make it easier to identify the entry points and a common language between CSOs and corporations that can facilitate the dissemination of the IRB module.

Activities:

- a. Offer support and assistance to business entities who wish to adopt the IB and IRB frameworks
- b. Work closely with companies to develop IB and IRB modules based on best business practices. This is consistent with ADN's feedback (2023), who pointed out that the dissemination of the IRB framework to the private sector would be most effective if it is done by businesses themselves.



Source: Vecteezy.com

References

- ADB. 2016. *How Inclusive is Inclusive Business for Women?. Examples From Asia and Latin America.*
- ADB. 2018. *Inclusive Business in the Asia-Pacific Economic Cooperation.* Philippine
- AFWA, TTCU, GLJ-ILRF. 2023. *Dindigul Agreement. Year 1 Progress Report.*
- ASEAN 2020. *Guideline for the Promotion of Inclusive Business in ASEAN*
- ASEAN Secretariat. *ASEAN Economic Blueprint 2025.*
<https://asean.org/book/asean-economic-community-blueprint-2025/>
- ASEAN. 2018. *The Voice of business in ASEAN. Awareness on Responsible and Inclusive business Policies – a Pilot Study.* [https://www.asean-csr-network.org/c/news-a-resources/csr-news-from-around-asean/1291-the-voice-of-business-in-asean.](https://www.asean-csr-network.org/c/news-a-resources/csr-news-from-around-asean/1291-the-voice-of-business-in-asean)
- ASEAN. 2018. *The Voice of Business in ASEAN. Awareness on Responsible and Inclusive Business Policies.*
<https://www.asean-csr-network.org/c/news-a-resources/csr-news-from-around-asean/1291-the-voice-of-business-in-asean>
- ASEAN. 2020. *Guideline for the Promotion of Inclusive Business in ASEAN*
- ASEAN. 2022. *Guideline for the Promotion of Inclusive Business in ASEAN. Briefing Note for Indonesia*
- British Council and UN ESCAP. 2018. *Developing an Inclusive and Creative Economy. The State of Social Enterprise in Indonesia.* Jakarta: PLUS
- British Council, UNESCAP, 2021. *The State of Social Enterprise in Southeast Asia*
- ELSAM. 2019. *Perkembangan Bisnis dan HAM di Indonesia, Persepsi Negara, Masyarakat Sipil dan Korporasi.* Jakarta

- Healy S., Heras Ana I., North P. 2023. *Community Economy dalam Encyclopedia of the SEE*. UNTFSSSE
- Human Right Resource Centre. 2013. *Business and Human Rights in ASEAN. A Baseline Study*. Jakarta
- ILO. International Labor Conference -110th Session, 2022. 10 June 2022. *Resolution Concerning Decent Work and the Social and the Solidarity Economy*
- INFID dan SETARA 2023. *INDEX HAM 2023*
- INFID. 2021. Kertas Kebijakan. *Pengintegrasian Prinsip-Prinsip Pemberdayaan Ekonomi perempuan dan Ketahanan Atas Perubahan Iklim dalam Kebijakan Tentang Bisnis dan HAM di Indonesia*
- Jayasooria, D. dan Yu Ilcheong. 2023. *The Sustainable Development Goals dalam Encyclopedia of the SSE*. UNTFSSSE
- Khair, Otti Ilham. *Analisis Undang-Undang Cipta Kerja Terhadap Perlindungan Tenaga Kerja di Indonesia*. Widya Pranata Hukum. Vol.3 No2. September 2021. Otti Ilham Khair.
<https://media.neliti.com/media/publications/548668-none-1f35077c.pdf>.
- KOMNAS HAM dan ELSAM. 2017. *Rencana Aksi Nasional Bisnis dan Hak Asasi Manusia*
- Muchlinski. 2022. *Advanced Introduction to Business and Human Rights*. Edward Elgar Pu
- OECD. 2018. *OECD Investment Policy Reviews: Southeast Asia*
- OECD. 2020. *Responsible Business Conduct and Anti-Corruption Compliance in Southeast Asia*
- OEIGWG Chairmanship Third Revised Draft 17.08.2021. *Legally Binding Instrument to Regulate, in International Human Right Law, The Activities of Transnational Corporations and Other Business Enterprises*.

Peraturan Presiden No. 60 Tahun 2023. *Strategi Nasional
Bisnis dan HAM*

Perpres 60 Tahun 2023 Tentang Strategi Nasional Bisnis dan
HAM

Tadem, Eduardi C. et al. 2017. *Deepening Solidarities
Beyond Borders Among Southeast Asian People.*
UPCIDS, University of Philippines

UN General Assembly, 27 Maret 2023. *Promoting the Social
Solidarity Economy for Sustainable Development*

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