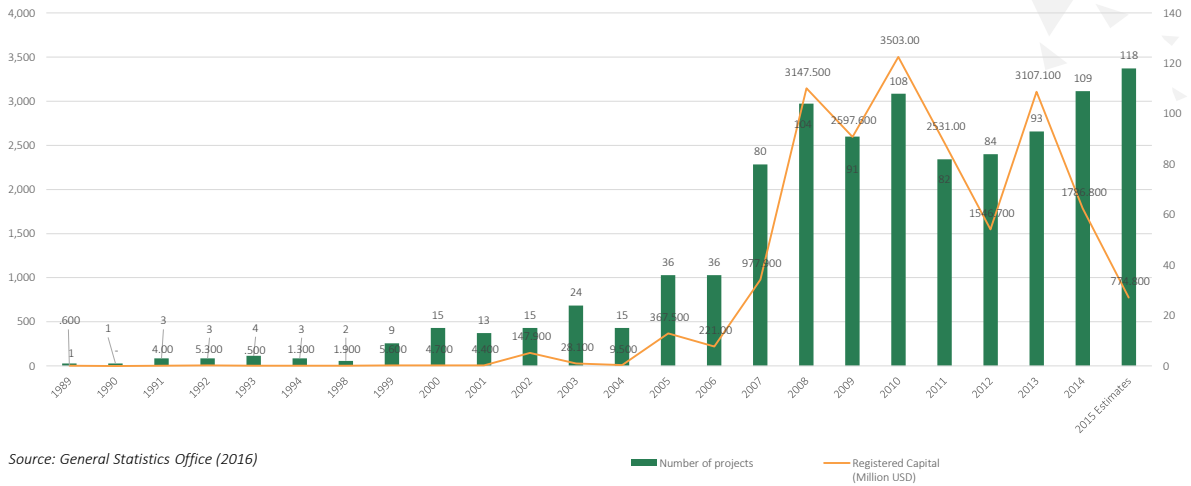


- Background
- Methodology
- Basic principles
- Main contents



# Overview of Vietnam's abroad investment



Source: General Statistics Office (2016)

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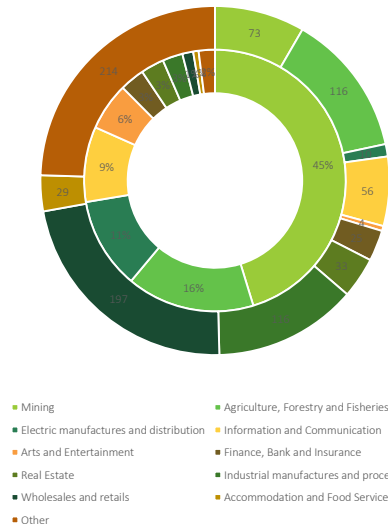
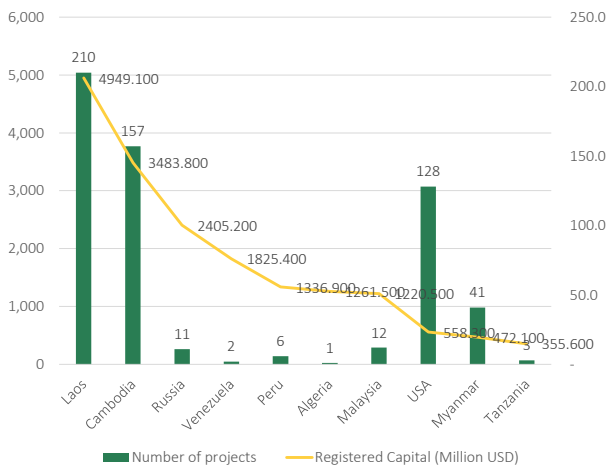
3

# ODI Vietnam by country and sector

## Vietnam ODI by Sectors in Number of Projects and Registered Capital

Source: General Statistics Office (2016)

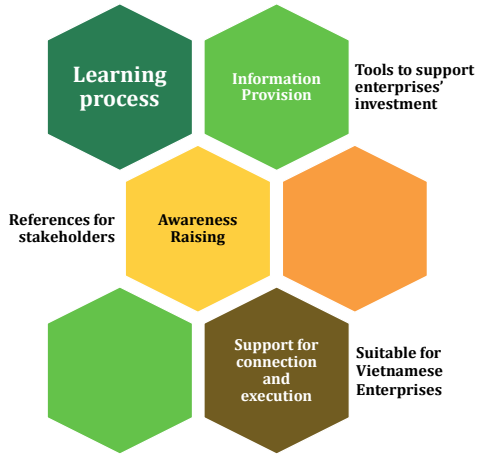
### ODI Vietnam: Top 10 by countries \*



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## Ideas for the voluntary guidelines



*Purposes:*

- Reduce risks from investment projects;
- Protect the image and reputation of Vietnamese investors internationally
- Support the implementation of Strategic Objective of the Vietnamese Government's of Overseas Investment

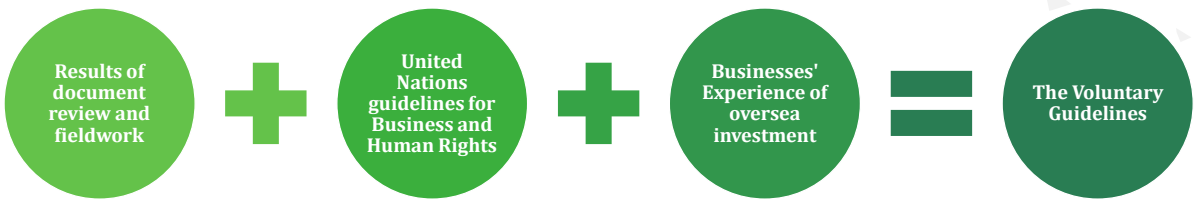
*The pioneer enterprises*

- Enterprises
- Business Association
- Researchers and Specialists

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## Formula to develop the Voluntary Guidelines



The Pioneering enterprises pilot the application of Voluntary Guidelines

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## Members of the pioneer enterprises



**Ms. Tran Thi Thuy Hoa -  
Head of the Advisory  
Board for Rubber  
Industry Development**



**Mr. Huynh Tan Dung -  
General Director of Tin  
Nghia Joint Stock  
Company (Laos)**



**Mr. Nguyen Xuan Thang -  
General Director of  
Hoang Anh Gia Lai  
International  
Agricultural Joint Stock  
Company**



**Mr. Vu Dinh Tich - Head  
of Information  
Department**



**Mr. Nguyen Van Tuy -  
Head of Planning -  
Business Department**



**Mr. Pham Van Thanh -  
Head of Planning and  
Investment  
Department, Member  
of the Members'  
Council**

**Công ty TNHH MTV  
Hữu nghị Nam Lào**

**Mr. Truong Manh Tung  
- Head of Planning -  
Business Department**



**Mr. Vu Ninh - Member  
of the Board of  
Directors**

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## Some pictures of the pioneer group meeting



Picture of a meeting of the Pioneer Enterprise Group in Da Nang in combination with a field survey of conservation of the Red-shanked Douc Langur under development pressures at Son Tra Peninsula, Da Nang

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## Why Pioneering?

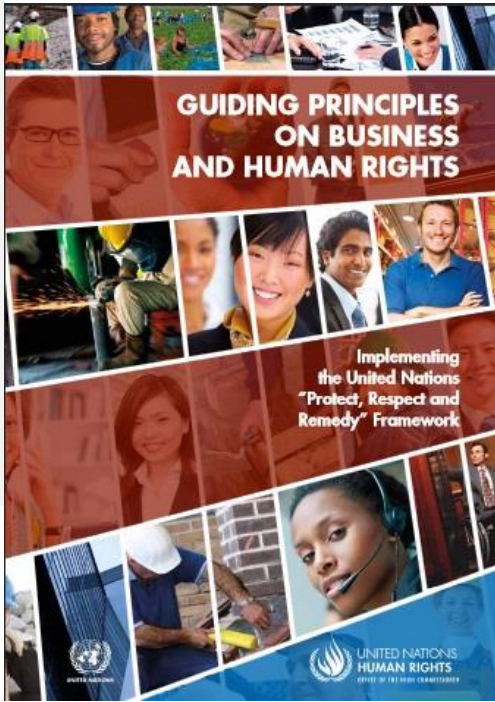
The establishment of the group marks a new step in the journey of understanding, building trust and cooperation between businesses and non-governmental organizations, which are still modest and reserved in Vietnam and in the region

Secondly, this cooperation aims to solve one of the most core issues and also the biggest difference in the opinion between the business sector and the non-government sector, which is particularly the negative impact of investment on environment and society.

Thirdly, the members of the Pioneer Enterprise Group are truly the leading people among Vietnamese enterprises in the field of agricultural investment abroad.

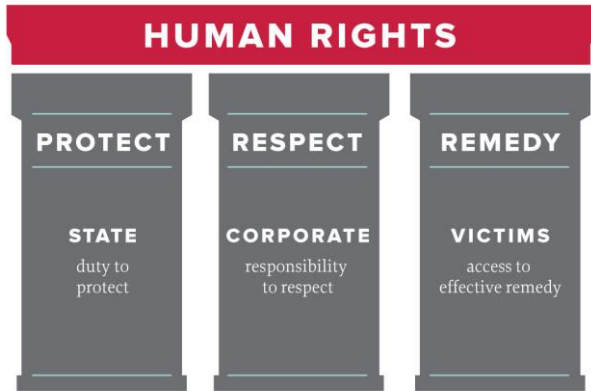
## The process of developing the Guidelines





## The three pillars of the UN Guiding Principles on Business and Human Rights

### THREE PILLARS of the UN GUIDING PRINCIPLES



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## Protection Principles

It is the responsibility of the State to resist the abuse of human rights by third parties.

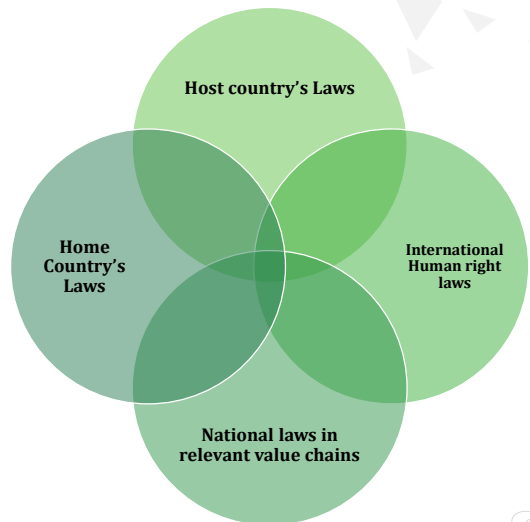
- Obligation under national law;
- According to the international commitments that the country has signed and acceded to;

Appropriate steps must be taken to prevent, investigate, punish and remedy abuse

- Through effective policies, laws, regulations and adjudication.

The state protects through enterprises where the State holds ownership or control or which receives significant support and services from state agencies.

- For example: export credit agency and official investment insurance and guarantee agency, credit institutions.
- Adopting the requirement to apply the human rights verification process when necessary.



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## Respect Principles

It is understood as avoiding infringing upon the rights of others and resolving adverse effects on the rights of other parties to which they are related

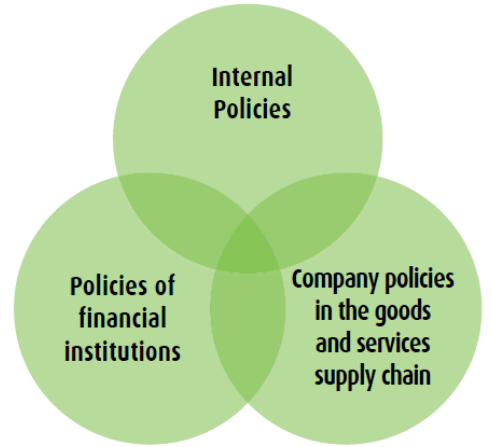
- Seek solutions to prevent and mitigate the direct impacts associated with their operations or as a results of business relationship with other parties.

### Business Activities and Business Relationship means:

- "Business Activities here includes both action and non-action leading to adverse impacts.
- "Business relationship" are relationships with business partners and value chain actors, regardless of non – state actors or government entities which directly involve in their business, products and services.

### Expression of Respect Principle

- Internal policies to demonstrate the commitment of corporate respecting responsibility;
- Verification procedures for identification, prevention, mitigation and accountability for resolving impacts that occur;
- The processes that allow corrective actions to be taken for any adverse effects that the business has or have contributed to the consequences.



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## Examples of failure to follow the Respect principle



### Action

A company may cause adverse effects if the company refuses to allow workers to establish an organization to represent themselves / the Union.



### Action through intermediaries

A company can contribute to a bad effect if it provides financing for a construction project, which leads to a compulsion to acquire land or make a request to a contractor with limited implementing time to comply with international labor standards.



### Incomplete action

The operation, product or service of a company can directly lead to adverse impacts through business relationships if one of the subcontractors or service providers is ignorant and is not fully provided with knowledge, or using forced labor.



### No action

A company that does not cause or contribute to these problems, but is aware of the problem but does not take action to prevent and / or minimize the impact.

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# Notes

### Individual responsibilities

- The responsibilities of the enterprises are independent of the ability and availability of the Gov in implementing human rights obligations
- For countries where the legal system is inadequate and ineffective, the responsibility of the enterprise exceeds and complies with national laws and regulations on human rights protection.

### Minimum limit on human rights

- are the contents of the International Code of Human Rights and the Principles of Basic Rights included in the International Labor Organization's Declaration on basic principles and workplace rights.
- However, depending on specific conditions, enterprises need to consider additional standards, especially the rights of individuals of particular groups such as indigenous people, women, ethnic groups and minority groups, religions and languages, children, people with disabilities, and migrant workers and their families.

### Equal responsibility for all businesses

- Respect is applied to all businesses including multinational companies, without distinction of size, sector, region, ownership and organizational structure.
- The severity of the impact is assessed not only by scale and scope but also by the irreparable or recoverable factor of the affected subject.
- Depending on the firm model and size, a formal or informal model and mechanism can be developed.

# Remedy

### Derivative principle

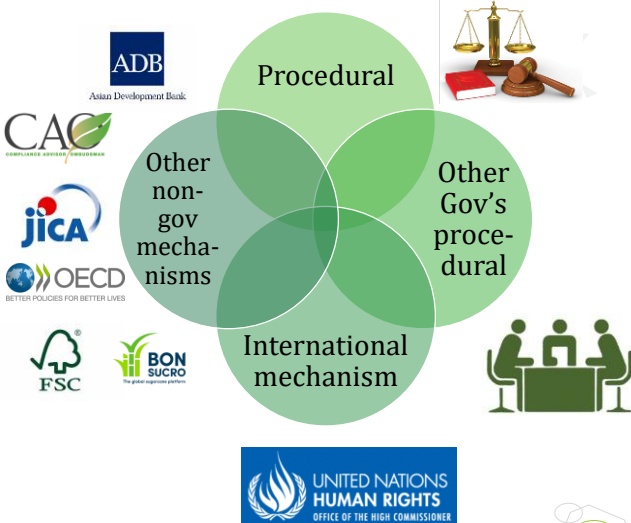
- Arising due to the Gov. and Enterprises not implementing the principle of Protection and Respect;
- The victim has the right to access effective remedies.

### Remedies

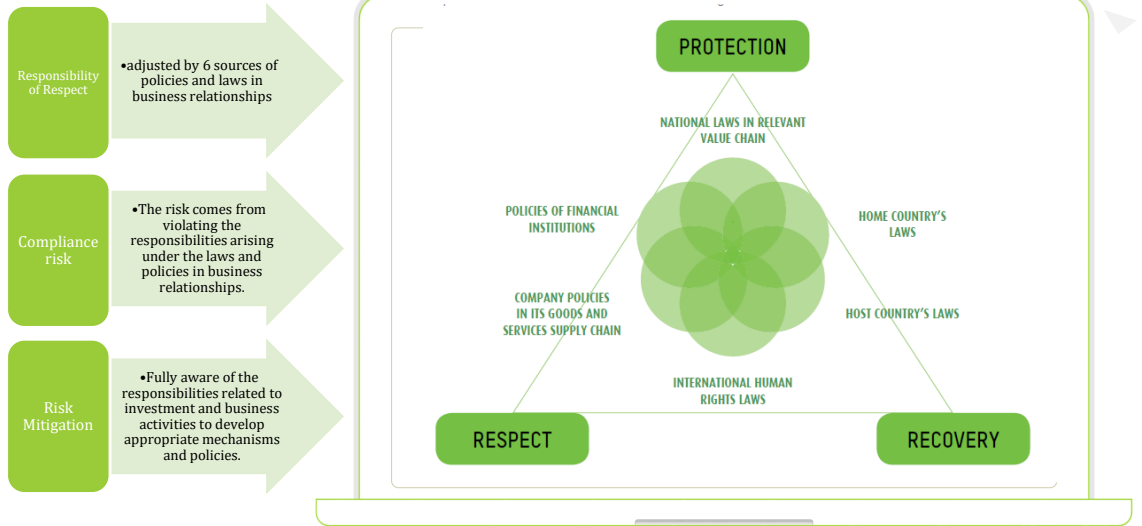
- are methods and procedures for implementing these measures to overcome adverse effects and possible consequences if they are reversible, or improved.
- Demonstrate in various forms such as an apology, reimbursement, restoration, financial and non-financial compensation measures, sanctions (criminal or administrative, such as fine), as well as preventing disadvantages through a ban or commitment not to repeat certain behaviors.

### Implementation mechanism

- Where an enterprise determines that it has caused or contributed to adverse effects, it is advisable to provide information or cooperate in remedying consequences through legal processes.
- These processes may be the Gov's judicial/ procedural mechanism, the Gov's external procedural mechanism or the United Nations international mechanism and other non-Gov dispute settlement mechanisms.

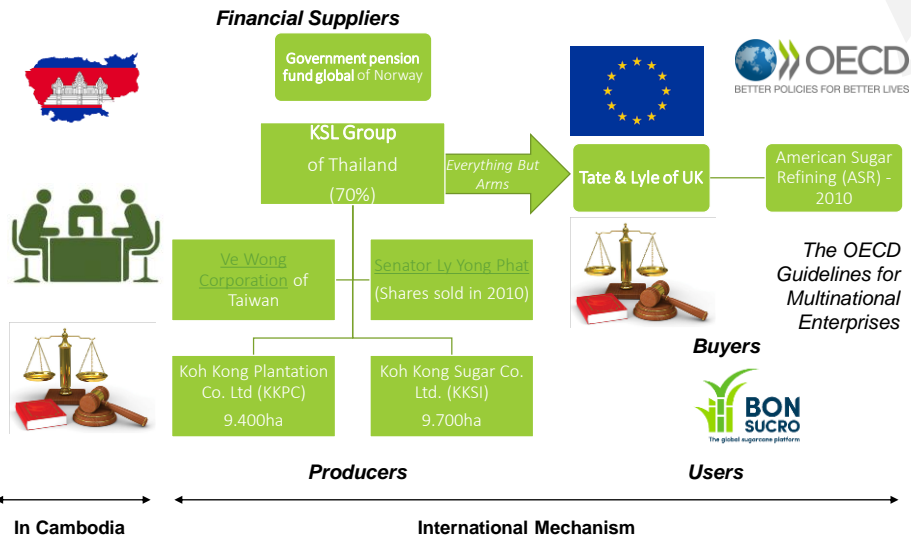


# Corporate Risks in Voluntary Guidelines



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# Sugar production in Cambodia: Risk of Responsibility through business relationship



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## Content of the Guidelines

Land	Steps of Investment		
	Investment Preparation	Implementation	Termination
Labor	Risks		
Environment	Recommendation		
	Implementation Solutions		
Culture/ Indigenous people	References		

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## Pioneering Enterprises pilot the application of Voluntary Guidelines in 2017-2018



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## Business & NGO: Cooperation for Sustainable Development

Link of film

Implementers:

1. Phạm Thị Huyền
2. Đỗ Thị Hải Linh
3. Nguyễn Hoàng Phương



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