

## **adidas Group and Human Rights Defenders**

There is no specific definition of who is or can be a human rights defender (HRD).<sup>1</sup>

A human rights defender can be any person or group of persons working to promote human rights locally, regionally, or internationally. Defenders can be of any gender, any age, from any part of the world and with different backgrounds and different interests.<sup>2</sup> Typically, trade union organisers, environmental interest groups, human rights campaigners and labour rights advocates would be considered to be HRDs.

The threats faced by human rights defenders come in many forms - physical, psychological, economic, and social – and involve the interaction of many factors (poor governance, the absence of the rule of law, intolerance, tensions over development issues, etc.) and can be triggered by different actors, both private and State.<sup>3</sup>

In his report to the General Assembly in 2015, the UN Special Rapporteur on the situation of human rights defenders recommended that both States and businesses should play an active role in supporting and promoting the role of HRDs working in their sectors. This should include, for example, speaking out when human right defenders are targeted for their corporate accountability work. Businesses must also cease and abstain from supporting any actions, directly or indirectly, which impinge upon defenders' rights to freedom of expression, association and assembly.<sup>4</sup>

adidas Group has a longstanding policy of non-interference with the activities of human rights defenders, including those who actively campaign on issues that may be linked to our business operations. We expect our business partners to follow the same policy; they should not inhibit the lawful actions of a human rights defender or restrict their freedom of expression, freedom of association, or right to peaceful assembly.

We value the input and views of all stakeholders and we are willing, and open, to engage on any issue, be this related to our own operations or our supply chain. Often, our engagement with human rights defenders is constructive, especially where we identify areas of shared concern. For example, with respect to transparency and fair play in sport, or environmental sustainability, or the protection of worker rights in our global supply chain. In these instances, we may actively support the work of the HRD and

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<sup>1</sup> The term "human rights defender" has been used increasingly since the adoption of the Declaration on human rights defenders in 1998. Until then, terms such as human rights "activist", "professional", "worker" or "monitor" had been most common. The term "human rights defender" is now seen as more relevant and useful; see <http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Defender.aspx>

<sup>2</sup> United Nations, *Human Rights Defenders: Protecting the Right to Defend Human Rights*, Fact Sheet No.29, download at <http://www.ohchr.org/Documents/Publications/FactSheet29en.pdf>

<sup>3</sup> United Nations, *Report of the Special Rapporteur on the situation of human rights defenders*, A/70/217, 30 July 2015 p.8

<sup>4</sup> Ibid. Cited in International Service for Human Rights, *A Human Rights Defender Toolkit for Promoting Business Respect for Human Rights*, 2015

derive shared value from our joint endeavours in say improving working conditions, safety, or the environment.

We will also petition governments, alone or in concert with other actors, where we feel the rights and freedoms of human rights defenders with whom we are engaged have been impinged by the activities of the State, or its agents.<sup>5</sup> For example in cases where there are credible reports of a human rights defender being threatened, intimidated or detained by the police or government officials. We will also take direct action where there is clear evidence that a business partner has breached the rights of HRDs. In each case our efforts and choice of action will be informed by the situation as it presents itself, and the extent of leverage we can bring to bear to change the wrongful behaviour identified.<sup>6</sup>

If any HRD believes that adidas Group or its business partners have directly impacted on their human rights they can use our [Third Party Complaint Mechanism](#) to lodge a formal complaint.

#### Examples of action taken by adidas Group

Here are recent examples of the actions we have taken to address the treatment of human rights defenders, whose activities were linked to issues in our global supply chain.

**Vietnam, 2016:** This case involved the detention of two labour rights advocates who met with workers who had been retrenched following a fire that destroyed the main production building at Yupoong Vietnam, a cap manufacturer. We learned of the detention and subsequent release of the two individuals affiliated with Viet Labor, an overseas labour rights group. We committed to Viet Labor that we would take action, in line with our policy of protecting individuals and advocates against any infringement of their rights (freedom of association, freedom of expression, etc.) during active disputes and investigations. We wrote directly to the Chairman of Dong Nai People Committee and called on the provincial government and the local police to show maximum restraint in dealing with protests, and not to interfere where individuals are acting peacefully and within the law.

**Cambodia, 2015:** We were approached by a US labour rights organisation, Workers Rights Consortium, in 2015, regarding our position over the legal action taken by the Cambodia Garment Manufacturers Association (GMAC) against six independent trade union leaders in Cambodia, alleging their involvement in the destruction of property during the 2014 nationwide protests. We explained that we had been very clear in our communications to GMAC and to our suppliers. And that we believed the criminal charges are without merit and that the case should be withdrawn. During 2014 we met with the GMAC Secretariat and individual GMAC Board Members on more than one occasion to deliver that message. And repeated that message in subsequent face-to-face meetings in 2015.

<sup>5</sup> In accordance with the *Declaration on Human Rights Defenders*, it is the State, as the main duty-bearer for the protection of human rights, which holds the main responsibility for ensuring that defenders can enjoy a safe and enabling environment. See United Nations, *Report of the Special Rapporteur on the situation of human rights defenders*, A/HRC/31/55, Advanced Edited Version, 1 February 2016

<sup>6</sup> See commentary to Principle 19 of the *UN Guiding Principles for Business & Human Rights*, which states that "Leverage is considered to exist where the enterprise has the ability to effect change in the wrongful practices of an entity that causes a harm."

**China, 2014:** This case involved the detention of two labour advocates, who had supported striking workers at the Yue Yuen industrial complex in Dongguan, in the People's Republic of China. We was engaged on a daily basis with civil society groups in Southern China, as we tracked the local government's handling of what was the PRC's largest ever strike, involving some 40,000 workers. Two advocates from Shenzhen Chunfeng Labour Disputes Services Centre, who had been advising the workers, were arrested and detained by the police. On the day the strike ended one of the advocates was released, the other however remained in detention. The grounds for his arrest were not disclosed by the authorities, although it was rumoured that he was being held for incitement and "causing trouble". We petitioned the local mayor, calling for the advocate to be released. Our action was timed with an online campaign run by civil society. Three weeks later the individual was set free, without charge.