

Abstract

In order to achieve the full understandings of the gaps of those policy, law and measure with respect to the two pillars of the UNGP (pillar 1, protect; and pillar 3, remedy). The NHRC can use the knowledge obtained in this study to monitor business and human rights-related complaints, to watch out for the situation of the business and human rights, and to provide recommendations to support the business and human rights protect and remedy systems.

This research employs a Gap analysis to assess the gap between the actual protect and remedy system (with respect to policy, law and measure) and the desired protect and remedy system to obtain policy recommendations.

It finds that the policy gap lies in both the Constitution level and the sub area level. The sub area level is divided into 9 sub areas including, 1) shareholder rights, 2) labor rights, 3) supply-chain related rights, 4) community, land, and environmental rights, 5) rights related to outward and inward cross-country investment, 6) consumer rights, 7) rights for the vulnerable groups, 8) human right defender, and 9) human rights for state owned enterprises.

The research finds that current human rights issues in term of business occurred through 1) Legal Act, where some of the Act may allow violation of human rights as a gap 2) Legal enforcement, even though, many acts of law are already cover the issues, the enforcement of the law still have various problems 3) Lack of cooperative between agents, Government needs to cooperate with other agents or organizations more. The issues need to be concerned and improve immediately to effectively prevent violation of human rights that could happen in the future.