

Call for Business Associations
Working Group on Business and Human Rights
Report to the 50th session of the Human Rights Council on
“COVID-19 pandemic: lessons learnt and moving forward”

Introduction

The pandemic and the related severe socioeconomic consequences have been a test of leadership and service delivery for governments and businesses alike. It has highlighted existing inequalities, exacerbated them, and showed that protection of human rights is especially critical in times of crisis. This period has served as a reminder that, in times of crisis, human rights protection can be compromised leaving millions of people and communities vulnerable, in situations of fear and abuse, exposed to danger and the real risk of death.

The pandemic has demonstrated that to effectively protect human rights under such crisis conditions, standards and protection measures must not only be maintained but significantly strengthened. It is critical for States, businesses, and all stakeholders to learn the lessons of the pandemic and take all appropriate practical measures to limit the human cost of future crises and achieve solutions that save lives and protect human rights, even when crisis cannot be averted. The pandemic has been a human rights crisis of immense proportions, but it should also be a wake-up-call and trigger for States, the international community and business to take the necessary action that is commensurate to the challenge.

The United Nations’ Working Group on Business and Human Rights (the Working Group) repeatedly emphasised what is required from all relevant stakeholders to ensure responsible business conduct during the pandemic and in the recovery period¹.

Against this background, the Working Group decided to focus its forthcoming report to the 50th session of the Human Rights Council in June 2022 on the lessons learnt from the pandemic and the identification of opportunities and challenges related to protection, prevention, response, and redress for business-related human rights abuses based on the

¹ Including in the recommendations of the Working Group’s Information Note “A Roadmap for Responsible Recovery in Times of Crisis” (<https://www.ohchr.org/Documents/Issues/Business/WG/Responsible-recovery-information-note.pdf>), the statement of the Working Group “Ensuring that business respects human rights during the Covid-19 crisis and beyond: The relevance of the UN Guiding Principles on Business and Human Rights” (<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25837&LangID=E>), as well as in other relevant work by human rights mechanisms and bodies, such as Special Procedures, Treaty Bodies as well as the OHCHR (<https://www.ohchr.org/Documents/Issues/Business/BusinessAndHR-COVID19.pdf>).

UN Guiding Principles on Business and Human Rights (UNGPs). It seeks to consider how the business and human rights agenda can contribute to efforts to build back better following the pandemic, and to address emerging new global crises on the horizon.

Call for inputs

The Working Group kindly requests that your business association provides its input by responding to the below attached questions to ohchr-wg-business@un.org by **24 February 2022**. Please indicate “**WG BHR - COVID-19 / Business Associations**” in the email subject line; limit your contributions to a maximum of 2,500 words and if necessary, provide links to relevant documents or attach annexes.

Unless indicated otherwise, the responses received will be posted on the Working Group’s webpage in the language in which they are received.

The Working Group issued separate calls with similar questionnaires to States, businesses and business associations, unions, national human rights institutions, and UN entities.

Questions:

- 1) What were the most significant challenges and obstacles during the pandemic and the recovery period related to implementing the corporate responsibility to respect human rights abuses in the context of business activities? What were the most important lessons learnt from the crisis and how can these lessons help in addressing business-related human rights abuses linked to other future crises?
- 2) How did business associations and business organisations support businesses to identify the most salient human rights issues in their sectors and their operating contexts and then prevent and mitigate the impacts that proved to be the most severe?
- 3) How did business associations and business organisations support businesses in implementing the UNGPs e.g. in relation to the development of human rights due diligence policies, and to help businesses to identify, prevent, mitigate, and account for how they addressed their adverse human rights impacts during the pandemic and when emerging from the crisis? Did companies increase and use their leverage over business relationships that could be causing or contributing to harm?
- 4) Please provide examples of remediation efforts undertaken where businesses identified that they caused or contributed to adverse human rights impacts during the pandemic. Which of those remediation efforts proved to be the most successful and how can they serve as examples to follow in the future at times of crisis?
- 5) What opportunities would allow businesses to build back better while ensuring action to prevent business-related human rights abuses and protect the human rights of individuals and communities?
- 6) What efforts were made by businesses during human rights impact assessment processes to involve constructive and meaningful consultation with potentially

affected groups and to pay special attention to any impacts on individuals that may be at heightened risk of vulnerability or marginalization?

- 7) How should businesses adapt to face global challenges, to avoid human rights risks and harm to people and the planet, and to become more resilient and sustainable overall? How could business associations and business organisations support their affiliates in these processes?
