Call for Trade Unions

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 period[1].

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,

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[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).

prevention, response, and redress for business-related human rights abuses based on the 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 Trade Unions inputs

The Working Group kindly requests that your organization 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 / Trade Unions"** 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 experienced by your organization during the pandemic and the recovery period related to supporting the rights of trade unions and workers, including day labourers, workers in the informal economy, temporary employees, workers in the gig economy and in other forms of precarious work situations? According to your organization, what were the most significant challenges and obstacles faced by workers, day labourers, workers in the informal economy, temporary employees, workers in the gig economy and in other forms of precarious work situations during the pandemic and the recovery period?

2) What were the most important lessons learnt by your organization from the crisis and how can these lessons help in preparing better for future crises?

3) What is the opinion of your organization about available opportunities to access to effective remedy provided by the State and businesses for human rights harms occurred 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?

4) What efforts have you seen governments and businesses making to engage in constructive and meaningful dialogue with trade unions and workers to address business-related human rights abuses during the pandemic? Such efforts include steps to empower and protect workers and to build a resilient and inclusive society and economy able to prevent human rights abuses in future crisis situations. Are there examples of particular attention being paid to potentially affected individuals that may be at heightened risk of vulnerability or marginalization?

5) According to your organization, what are those opportunities that would allow businesses to build back better by ensuring stronger and more decisive action to protect human rights in the context of business activities particularly for those

individuals and communities at heightened risk of discrimination or marginalization?

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