

Committee: Human Rights Council (HRC)

Issue: Safeguarding Human Rights in Connection with Economic and Business Activities

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INTRODUCTION

Recently, more focus has been given to the protection of human rights. Human rights are a fundamental principle that applies to everyone regardless of ethnicity, race, sexuality, gender, religion and more.¹ International human rights standards have been established but they are not always abided by. Although governments are responsible for protecting them, the private sector is equally responsible for preventing human rights violations under their jurisdiction. These standards are expected to be adhered to in all sectors, and yet businesses have actively reinforced abuses and undermined human rights.

As a result of new trends, the economic interdependence of states has been strengthened, increasing the connection of human rights to economic activities. Though conflicts that emerge between businesses and human rights have become more visible as a result. Even though corporations are obliged to fulfill their responsibilities and remove such threats, they still exploit workers for labour to maximize profits. Large corporations have been exposed for infringing worker's rights.

The issue is largely due to the lack of available legal action in combination with the firm's desire for profits and their refusal to take accountability. The international response has been more active and human rights standards are becoming integrated into more aspects of life². Yet, the exploitation continues.

The lack of efficient action can have catastrophic impacts on society and the balanced functioning of states. While resolution-making, it is imperative to consider that this issue is multidimensional and can be tackled through various formal and informal mechanisms. The following guide firstly provides an outline of the basic principles relevant to the issue, then it discusses the ambiguous interrelation of human rights and business

¹ "Human Rights." *United Nations*, www.un.org/en/global-issues/human-rights.

² *Human Rights Library- University of Minnesota*, <http://hrlibrary.umn.edu/links/gbrhumanrts.html>.

activities through historic examples and modern conclusions, analyzes the contribution of international actors and lastly suggests solutions based on careful research.

DEFINITION OF KEY TERMS

Economic Globalization

"Economic globalization refers to the increasing interdependence of world economies as a result of the growing scale of cross-border trade of commodities and services, the flow of international capital and wide and rapid spread of technologies."³ As economic interests dominate global institutions, norms and social responsibilities are deprioritized to serve the maximization of profit.

Stakeholder

"A stakeholder is a party that has an interest in a company and can either affect or be affected by the business. Primary stakeholders are investors, employees, customers, and suppliers, yet on a larger scale, communities, governments, and trade associations."⁴ These stakeholders can cause or endure the challenges of the issue and must be involved when creating resolutions.

Union⁵

An organized association of employees that aims at representing their interests to the particular industry and promoting their rights in fields such as working conditions, pay levels and more through collective bargaining. Unions can be a dominant factor when tackling the issue.

³ Shangquan, Gao. "Economic Globalization: Trends, Risks and Risk Prevention." *Welcome to the United Nations*, 2000, www.un.org/en/development/desa/policy/cdp/cdp_background_papers/bp2000_1.pdf.

⁴ "Learn What Stakeholders Are and the Roles That They Play." *Investopedia*, www.investopedia.com/terms/s/stakeholder.asp.

⁵ "Union." *Cambridge Dictionary | English Dictionary, Translations & Thesaurus*, <https://dictionary.cambridge.org/dictionary/english/union>.

Rights-Aware Approach⁶

A business's willingness to conduct economic activities by accepting that its stakeholders are entitled to universal human rights and any decision must adhere to, respect and protect them from violations. This is a norm that agencies like the UN and the EU are attempting to instill in economic activities.

Forced Labor

Forced labour is considered the coerced work of an employee, it is labour "that is performed involuntarily and under the menace of any penalty, such as violence, threats, manipulation and more."⁷ An ILO report from 2014 highlights that 21 million people are victims of forced labor worldwide.⁸

BACKGROUND INFORMATION

This section analyzes the multiple dimensions of the issue and discusses the connection of economic activities to human rights. By examining the human rights that are frequently violated in the private sector, evaluating the historic background and contribution of international organizations, and referring to imperative examples of human rights abuses and labor strikes, delegates understand how the problem manifests and build solutions accordingly.

Businesses and Human Rights

As the private sector grows, so does the economy, and businesses focus on improving workplaces and working conditions. Human rights are being rapidly integrated into the economic field and transforming such activities. Businesses are automating manufacturing processes to avoid accidents, using environmentally-friendly materials, editing their codes of conduct and more. Businesses have been adjusted to serve a humanitarian purpose and engage with rights-aware approaches, which led to the creation

⁶ "THE CORPORATE RESPONSIBILITY TO RESPECT HUMAN RIGHTS." www.ohchr.org/documents/publications/hr.pub.12.2_en.pdf.

⁷ "What is Forced Labour, Modern Slavery and Human Trafficking (Forced Labour, Modern Slavery and Human Trafficking)." *International Labour Organization*, www.ilo.org/global/topics/forced-labour/definition/lang--en/index.htm.

⁸ "Forced Labour: Facts and Figures." *International Labour Organization*, 20 May 2014, www.oit.org/global/about-the-ilo/newsroom/media-centre/issue-briefs/WCMS_207611/lang--en/index.htm.

of the Business Human Rights (BHR) movement. The concept of BHR is considered “a multidisciplinary academic field” that acts as a social, economic, and political movement. The movement engages with governmental and non-governmental institutions and civil society.⁹ The goal of the BHR movement is to identify how human rights can manifest in the business sector and shape it accordingly to access justice. Thus, guaranteeing respect for human rights and abiding by international legislation is a legal obligation of a business. However, companies exploit workers to reduce costs in human capital, lower production expenses and maximize their profit. This occurs mostly in LEDCs where corruption levels are high and the lack of sustainable jobs compels individuals to work in such conditions due to financial need.

To measure this, the International Trade Union Confederation (ITUC) publishes its annual Global Rights Index. This report presents the worst countries in the world for labourers by rating them from 1 to 5+ according to the cases of violations recorded in the country. 144 countries are ranked based on the calibre of respect they show towards worker’s rights with 1 being the best and 5+ the worst.

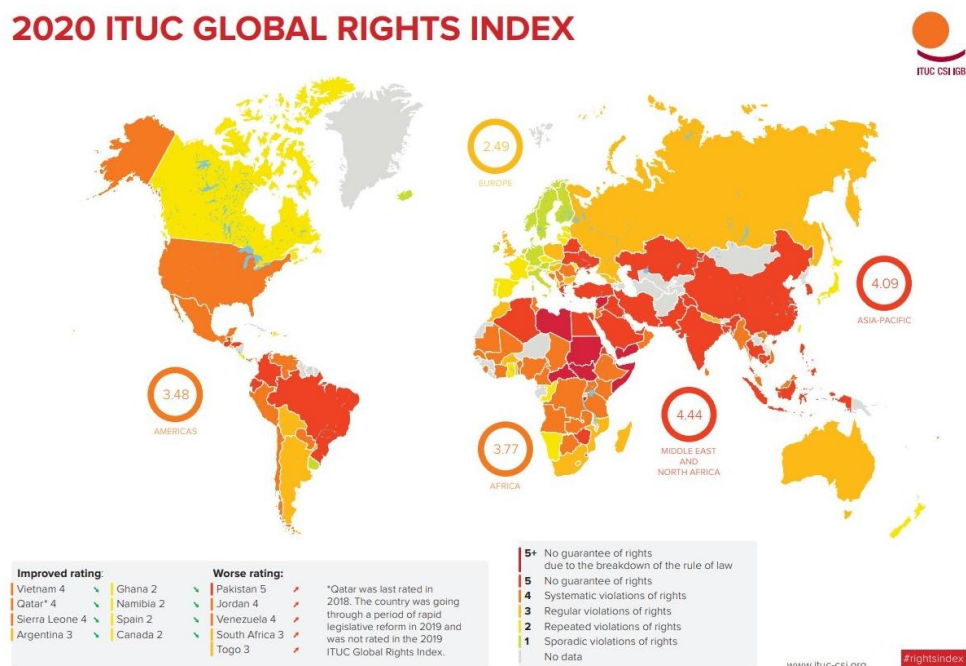


Figure 1 ITUC Global Rights Index Rankings¹⁰

⁹ "Business and Human Rights in Historical Perspective by Michael A. Santoro: SSRN." *Search ELibrary: SSRN*, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2631107.

¹⁰ "ITUC Global Rights Index." *RESPECT | The Responsible and Ethical Private Sector Coalition Against Trafficking*, <https://respect.international/ituc-global-rights-index/>.

The Human Rights at Risk

Enterprises are compelled by law to not deprive one's life arbitrarily and expose it to physically dangerous conditions. Nevertheless, the business sector has proven to be a life-threatening space. Through repetitive tasks, chemical exposure, lack of appropriate equipment and hazardous procedures, employees have often been victims. In the US 5,333 workers died in 2019 while working in the private sector, accounting for 15 deaths per day, specifically, 20% of them were in construction.¹¹

The right to not be subjected to torture, cruel, inhuman and/or degrading treatment or punishment is missing in cases of forced labour and illicit activities due to insufficient law enforcement, justice institutions, and corruption. The right not to be subjected to slavery, servitude or forced labour is equally relevant. Slavery exists in the business sector through trafficked employees. This usually affects women and children, and cases vary. Companies can either contribute to such transportation and exploit workers from marginalized groups or unintentionally benefit from this through their supply chains. Companies collaborate with suppliers to create and distribute their products, yet these are complicated networks that usually exploit workers to reduce costs and maximize profit.

The issue can occur in less extreme situations through the exercise of undemocratic processes. The right to freedom of association is frequently impacted. By international law, workers are entitled to the formation of trade unions that operate according to international standards and safeguard the workers' interests. Businesses may abuse their power and generate obstacles to prevent such unions among workers or refuse to recognize them. Moreover, companies have been accused of dismissing the right to work and reinforcing discriminatory practices. Individuals have the right to select their employment and access equal opportunities when working or looking for employment. However, businesses often reject employees, even with excellent qualifications, or provide inadequate pay, treatment, and conditions. Other cases of human rights violations can include the right to health, education, privacy, and expression.

¹¹ "Commonly Used Statistics." *Occupational Safety and Health Administration*, www.osha.gov/data/commonstats.

Historical Background

The BHR movement has shifted its focus from governments to the private sector. This shift is due to the pressure that influential corporations exert on governments and the public, especially in less developed economies where governments do not possess appropriate institutions to exercise their power. The fight for humane treatment in the workplace dates back to the 20th century, yet it has recently gained global recognition due to the wide and accessible variety of media.

Early efforts of the UN

Some important cases that gained recognition are the local protests that were organized throughout the 1970s and 1980s by the Ogoni in the South African regions, due to the relations of businesses with the apartheid regime. The attention that they brought urged the UN to establish an international framework and “institutionalize corporate human rights responsibility”.¹² During the 1970s, the United Nations expanded its influence and monitored the economic investments of multinational enterprises. Suspensions in 1972 about illegal activities of multinational companies led the "Group of 77" and the UN General Assembly to implement an action program and create the United Nations Centre on Transnational Corporations (UNCTC).

Attempts for a Universal Framework

During the 1990s, there was a decisive breakthrough that urged for a direct, systematic, and binding approach after the execution of Nigerian activist Ken Saro-Wiwa. Systematic efforts started in 1998 when the UN Sub-Commission on the Promotion and Protection of Human Rights adopted a resolution that created a sessional group that would assess the connection of multinational companies with human rights. In 1999 its work began, and the group became responsible for publishing a Code of Conduct for Transnational Corporations. This led to the proposal of the Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with regard to Human Rights ('the Norms') that were adopted by the Sub-Commission in 2003, but rejected by States in 2004 due to no legal effect. In July 2000, the Global Compact was formed by Secretary-General Kofi Annan in New York and initiated the establishment of a global framework on

¹²"The History of 'Business and Human Rights' and Its Relationship with 'Corporate Social Responsibility'." *ResearchGate*, www.researchgate.net/publication/341164048_The_History_of_'Business_and_Human_Rights'_and_its_Relationship_with_'Corporate_Social_Responsibility'.

the activities of large corporations. It is a non-binding initiative that has set out 10 principles that guide businesses on the four core areas: human rights, labor, corruption and the environment. It remains the largest corporate sustainability initiative and engages with stakeholders in 170 countries.

Cases of Human Rights Abuses

Through the media, more and more cases of these violations of human rights are being recorded and published. In the past year, more than 200 legal cases against transnational companies have been recorded while in 8 instances out of 10, the reports were filed by employees, especially from minorities. This proves that workers are seeking help and highlights how companies exploit vulnerable groups and their need for economic assistance. Additionally, 1 out of 2 reports was sent outside of the country where the violation happened, proving that affected workers live in less developed regions with inadequate legal representation and seek litigation outside of their country. The report also includes data on the products of these companies, as it records that 45% of the lawsuits were against powerful extractives sectors, like oil and gas or mining businesses.¹³

Cruel and Inhumane Treatment in Forced Labor

An example that covers the various types of abuses was recorded in South Africa at the end of June 2021. Police bodies found 20 dead bodies of illegal miners near an old, abandoned goldmine in two areas southwest of Johannesburg. The police reports highlighted that the bodies were covered in white plastic bags and the victims had suffered from severe burns and trauma. The police described that they were illegal workers, referred to as “zamas zamas” that were mining in old shafts in Orkney and Stilfontein. The South African Human Rights Commission (SAHRC) has reported that there are over 30,000 employees of this kind that informally operate in the country under horrible conditions in underground mines and villages; 300 of these workers have died between 2012 and 2015.¹⁴

Pay Discrimination in the Workplace

In April 2019 the multinational entertainment company, Disney, was sued by two women employees over inadequate pay and gender-based discrimination. LaRonda

¹³ *Business & Human Rights Resource Centre*, www.business-humanrights.org/en/from-us/lawsuits-database/.

¹⁴ "Bodies of 20 Suspected Illegal Miners Found Near Abandoned South Africa Goldmine." *The Guardian*, 17 June 2021, www.theguardian.com/world/2021/jun/17/south-africa-bodies-20-suspected-miners-found-goldmine-abandoned.

Rasmussen and Karen Moore initiated the lawsuit and accused Disney of violating their entitled workers' rights by offering lower wages compared to male employees. The case will likely be characterized as a class action since eight more women joined the court fight. Although it is a serious accusation that violates the NLRA, which outlines that employers are obliged to discuss pay with workers, Disney has actively denied the allegations. The case has not been settled and remains in its early phases yet showcases the reality of gender-based discrimination. According to 2021 research findings, men's average salary is 18% higher, which means that women receive 82 cents for every dollar that a man does.¹⁵

Labour Strikes

As violations continue to occur, employees that cannot rely on legal means to obtain justice seek remedy by engaging with their fellow employees in more direct approaches. A democratic method of having their voices heard has been to stage protests. According to the National Labour Relations Act ("NLRA") that was enacted by the US Congress in 1935, the right to strike is safeguarded by Section 7.

In 1835 the first general labour strike in the US was organized in Philadelphia. 20,000 workers from various fields all gathered to protest the unbearable schedule of the agriculture industry. The workers demanded increased wages and a ten-hour work schedule. It was the first step towards the shorter workday movement. The strikes lasted three weeks.

A more recent example is the 2016 protests that were staged in India, where millions of workers gathered for a one-day strike to protest against the labor reforms implemented by Prime Minister Modi and demand higher wages. It was a general strike that consisted of workers from all echelons of the economic field. The unions bargained for an increase in the minimum wage and the provision of better social security. It is a current case that showcases how the matter is perpetuated and the business sector continues to infringe on human rights. Although the 1996 Covenant on Civil and Political Rights (ICCPR) recognizes the right to protest, countries around the world, besides European countries, do not respect it.

¹⁵ "Racial and Gender Pay Gap Statistics for 2021." *PayScale*, 26 Mar. 2019, www.payscale.com/data/gender-pay-gap.

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

USA

The US received a 4 on the ITUC Index (max.= 5+) due to systematic violations of human rights in economic activities. Efforts to improve working conditions began in 2013 when the state published the US Government Approach on Business and Human Rights which outlined the measures, laws and policies implemented to tackle the issue. In September 2014, the government announced a National Action Plan on Responsible Business Conduct which was approved on 16th December 2016 and is currently being updated. The US has played a major role in constructing and promoting policy efforts like the UNGP, the OECD Guidelines and the ILO Declaration through multilateral and multi-stakeholder efforts. Although Congress has adopted measures to eliminate trafficking and allow transparency in company payment methods and their activities in vulnerable areas, access to justice remains inadequate.

China

Limited access to workers' rights and exposure to dangerous activities earned China an ITUC score of 5. Workers have often been victims of false imprisonment, police brutality and inadequate access to legal representation. As China's global investments in extractives industries increase, human rights violations worsen. 679 cases were observed between 2013 and 2020 against Chinese corporations abroad, especially in vulnerable regions where investments are made. Although transparency guidelines and responsible conduct have been developed, Chinese companies continue to undermine human rights and avoid engaging with civil society as in 2020 five businesses reached a low response rate of 24% when invited to discuss accusations and address solutions.¹⁶

Bangladesh

According to the 2020 ITUC Index, Bangladesh was one of the countries with the worst scores.¹⁷ Employees in Bangladesh cannot access their entitled rights and form unions. More than 500,000 workers have been unable to exercise collective bargaining and strike.

¹⁶ "Going Out" Responsibly: The Human Rights Impact of China's Global Investments." *Business & Human Rights Resource Centre*, www.business-humanrights.org/en/from-us/briefings/going-out-responsibly-the-human-rights-impact-of-chinas-global-investments/.

¹⁷ *International Trade Union Confederation - Building Workers' Power*, www.ituc-csi.org/IMG/pdf/ituc_globalrightsindex_2020_infographics_en.pdf.

Trade unionists and garment workers attempted to strike in December 2018 and January 2019, but faced brutal police intervention, leaving 50 of them seriously injured. Violence is present and police continue to illegally detain and file criminal complaints against workers. Bangladesh also has an alarming rate of trade registration as it requires 30% of employees to agree to create a union, making it impossible to form one.



Figure 1: Police intervention during labor strike¹⁸

Brazil

Brazil was in the top ranks of the Index due to its long-lasting cases of extreme human rights violations. The situation in Brazil is escalating as incidents of murder, repression and brutality continue. In 2020, police forces violently crushed strikes with tear gas, threats, arrests, and physical harm. Union leaders have been subjected to arbitrary detentions and death threats. An attack was recorded on 11 June 2019 when the social leader and president of the Rural Workers Trade Union of Rio Maria, Carlos Cabral Pereira, was shot near his home by two unknown men.

Denmark

Amongst the countries that scored 1 on the ITUC Index was Denmark. The employment system in Denmark provides immediate support and protects its individuals from exploitation through its social security program. Specifically, employers and employees financially support this program which provides “health insurance, child allowance,

¹⁸ "Bangladesh Strikes: Thousands of Garment Workers Clash with Police over Poor Pay." *The Guardian*, 10 July 2020, www.theguardian.com/world/2019/jan/14/bangladesh-strikes-thousands-of-garment-workers-clash-with-police-over-poor-pay.

maternity benefits, disability benefits, and more".¹⁹ A controversial characteristic is that the minimum wage is determined through collective agreements instead of the state, to serve the diverse needs of each business. In 2020, alongside other European countries, it discussed regulations that would ensure transparency and monitor human rights standards in corporate supply chains.

International Labor Organization (ILO)

The ILO was established in 1919 as the only tripartite agency of the UN, and it operates in 187 member states with representatives from various fields. It connects governments and discusses with employers and employees to ensure universal peace through social justice. The ILO consists of three main bodies and its tripartite structure allows governments, employers, and workers to equally participate in its work. Its main goal is to promote entitled human and labor rights by creating universal labor standards, forming policies, and developing awareness programmes. Annually it contributes 130 million USD for technical development and assesses employment issues to publish short-term and long-term policies and enforce the application of labour laws.

European Union (EU)

The EU was initiated in 1950 and over the decades it has adopted different identities and expanded. On November 1, 1993, the EU, together with its currency (the euro), was officially established through the Maastricht Treaty and replaced the European Community (EC). It consists of 27 members and operates as a united economic and political unity in a global economy. It is a regulatory organ for many European labour markets that regulates working conditions and consults workers. The EU strives for social development by complementing national policy efforts of its members through minimum standards. It affects labour laws by approving directives that individual EU countries integrate into national policies and the European Commission monitors. In 2016 it established the European Centre of Expertise that oversees legal and economic facets of labour laws and markets.

Organization of Economic Cooperation and Development (OECD)

The OECD was initially created in 1948 to implement the Marshall Plan and facilitate Europe's reconstruction. It was named the Organization for European Economic Cooperation

¹⁹ "Denmark Compensation & Benefits Outsourcing | Global PEO Benefits Services." *Globalization Partners*, 7 Dec. 2020, www.globalization-partners.com/globalpedia/denmark-employer-of-record/compensation/#content.

(OECD), but, when the US and Canada joined, the OECD was created on 30 September 1961 as an intergovernmental organization. OECD facilitates international development and proposes beneficial policy recommendations. It has 37 permanent member countries that account for 80% of the key partners of world trade. It accumulates, examines, and publishes data reports on economic growth together with promoting sustainable, equal, and fair policies. Additionally, it enables trade and discussion between its members and oversees the implementation of relevant legislation.

Office of the United Nations High Commissioner for Human Rights (OHCHR)

The OHCHR was formed in December 1993 by the UN General Assembly through resolution 48/141. The OHCHR represents the leading UN body on human rights and collaborates with member states to promote the rights that were set in the Universal Declaration of Human Rights. It communicates with representatives from member states, civil society members, and private enterprises to serve its mandate. It formed an open-ended intergovernmental working group (OEIGWG) at its 26th session on 26 June 2014. The OEIGWG focuses on multinational companies to monitor human rights standards and examine their activities. The group has held 6 sessions and has released its second revised draft of a legally binding international instrument. Additionally, it provides training and support to stakeholders to ensure adherence to the UNGPs through resources, capacity building and guidance.

TIMELINE OF EVENTS

Date	Description
August 1766	The first worker strike in the Americas was organised in Real del Monte, Mexico.
June 6-22 1835	The first US general strike was staged in Philadelphia.
28 June 1919	The International Labor Organization was formed.
May 4-12 1926	The general strike that protested wage reductions took place in the UK.
March 18-25 1970	The US Postal Strike occurred and stopped mail delivery for 8 days as 200,000 carriers refused to work.
1974	The General Assembly of the UN established the United Nations Centre on Transnational Corporations (UNCTC).
1976	The Organization for Economic Co-operation and Development (OECD) released the Guidelines for Multinational Enterprises.

1970s-1980s	Local strikes by the Ogoni people in the South African regions against discriminatory businesses.
12 March 1984-3 March 1985	A year-long strike was staged in Britain by 100,000 miners in response to the job cuts announced by Margaret Thatcher.
1992	The UNCTC became temporarily part of the Department of Economic and Social Development.
1993	The UNCTC officially closed.
10 November 1995	Ken Saro-Wiwa was executed by the military regime in Nigeria.
1998	The UN Sub-Commission on the Promotion and Protection of Human Rights created the sessional group for the publishing of the Code of Conduct for Transnational Corporations.
26 July 2000	The Global Compact was formed by Secretary-General Kofi Annan in New York and initiated the establishment of a global framework on the activities of large corporations.
2003	The Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises were adopted by the Sub-Commission.
16 June 2011	The UN Guiding Principles on Business and Human Rights were implemented by the HRC.
2012-2015	The South African Human Rights Commission (SAHRC) reported that there are over 30,000 illegal miners, 300 of which have died between 2012 and 2015. ²⁰
2 September 2016	Millions of Indian employees protested against the new labor laws and the low wages passed by Narendra Modi.
27 March 2017	The French Parliament adopted the Corporate Duty of Vigilance Law.
December 2020	The Businesses and Human Rights Resources Centre released a platform on human rights lawsuits against companies that raised awareness and gained the attention of international actors.
2020	British charity Corporate Human Rights Benchmark (CHRB) published a performance analysis on more than 100 companies which can be found here .
June 2021	South African police discovered 20 dead bodies of illegal miners that had suffered from severe burns while mining in old shafts in Orkney and Stilfontein.

²⁰ "Bodies of 20 Suspected Illegal Miners Found Near Abandoned South Africa Goldmine." *The Guardian*, 17 June 2021, www.theguardian.com/world/2021/jun/17/south-africa-bodies-20-suspected-miners-found-goldmine-abandoned.

UN INVOLVEMENT: RELEVANT RESOLUTIONS, TREATIES AND EVENTS

The Universal Declaration of Human Rights (UDHR)

The UDHR is the most decisive document in the evolution of human rights. It was constructed by representatives from different cultural, social, and political backgrounds of the world. The final draft was proclaimed on 10 December 1948 by the General Assembly of the UN through resolution 217 A. It represents the “common standard of achievements” that outlines fundamental human rights and safeguards their protection. There are numerous articles that prevent the subjugation of people to torture, slavery, and inhumane punishment, while Article 23 is the most crucial one for worker’s rights. Article 23 has 4 clauses that declare that everyone has the right to freely choose a job, form unions and work under favourable conditions.²¹

(A/HRC/17/31) GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS (UNGP)

The UNGP was drafted (A/HRC/17/31) and finalized through resolution 17/4 on 16 June 2011. They are a set of responsibilities for transnational companies and their activities linked with human rights. The voluntary document outlines important rules to identify threats, protect human rights, and ensure accountability in cases of violations. It applies to every state and corporation and expects them to abide regardless of sector, location, size, etc.

Binding Treaty on Transnational Corporations and Other Business Enterprises

Currently, there is no international legally binding instrument on the role of transnational corporations in relation to human rights. In June 2014, the UNHRC attempted to construct a document that would monitor such activities. In June 2014 the UNHRC implemented resolution 26/9 that established the Open-ended intergovernmental working group (OEIGWG) chaired by Ecuador. The OEIGWG is responsible for drafting a universal and legally valuable instrument on Transnational Corporations and Other Business Enterprises.

²¹ "Universal Declaration of Human Rights." *United Nations*, www.un.org/en/about-us/universal-declaration-of-human-rights.

The working group has held 6 sessions and on 6 August 2020, it submitted the Second Revised Draft of the international instrument.²²

ILO Declaration on Fundamental Principles and Rights at Work

In 1998, the ILO adopted the Declaration which obliges the Member States to safeguard basic human rights in four categories, regardless of their commitment to relevant conventions. The categories refer to the formation of unions, the prevention of forced labour, child labour and discrimination. The Declaration emphasizes that the rights are unconditional and universal and expects states to provide an annual human rights report which is assessed by bodies of the ILO.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

The issue of human rights in businesses has not been effectively tackled internationally due to the variability of the incidents. The situation can manifest differently in some regions; thus, states usually develop their own national policies and mechanisms. Further research on the action plans of Belgium, Denmark, Netherlands, France, Germany, and the UK is recommended.

The most recent efforts to establish a binding instrument were made in 2013 by Ecuador and South Africa when they began negotiations with the Human Rights Council to launch a UN Intergovernmental Working Group (OEIGWG) that would draft an international treaty on the issue of BHR. Its mandate has been renewed and states are releasing National Action Plans (NAPs).

Responsible Labor Initiative

A useful attempt began in 2017 by the Responsible Business Alliance (RBA), the world's "largest industry coalition dedicated to corporate social responsibility in supply

²² "LEGALLY BINDING INSTRUMENT TO REGULATE, IN INTERNATIONAL HUMAN RIGHTS LAW, THE ACTIVITIES OF TRANSNATIONAL CORPORATIONS AND OTHER BUSINESS ENTERPRISES." www.ohchr.org/Documents/HRBodies/HRCouncil/WGTransCorp/Session6/OEIGWG_Chair-Rapporteur_second_revised_draft_LBI_on_TNCs_and_OBEs_with_respect_to_Human_Rights.pdf.

chains”²³. To identify the causes of forced labor and prevent exploitation, the RBA established a multi-industry initiative. This was named the “Responsible Labor Initiative” and together with representatives from various institutes, it created a forum where companies discuss, analyze, and tackle the issue of forced labor. It has been an effective process in gathering stakeholders and promoting the issue, yet efforts remain non-binding.

Worker’s Rights Institute

In 2019 Georgetown University created the Workers’ Rights Institute under its law department. This initiative works with legal action and policymaking to promote human rights and facilitate access to labour protections. Additionally, it collaborates with professionals to launch legal initiatives that raise awareness and assist workers in exercising their collective rights. It is a national effort to organize resources and provide opportunities for education through the available utilities to low-income and insecure victims.

Guidelines for Multinational Enterprises

In 1976, the Organization for Economic Co-operation and Development (OECD) produced its voluntary Guidelines for Multinational Enterprises that addressed the matter of accountability and provided guidance. They outline responsibilities for multinational companies and their international economic activities in accordance with human rights. They are the only multilateral and universal guidelines that states have agreed to and are promoting consistently.

POSSIBLE SOLUTIONS

The UN Development Programme (UNDP) observed the dangerous influence that transnational corporations have gained and the rise in human rights violations. Based on this insight, it published solutions through which companies can integrate human rights in their operations.

²³ "About the RBA." *Responsible Business Alliance Formerly the Electronic Industry Citizenship Coalition*, www.responsiblebusiness.org/about/rba/.

Understanding Responsibility Scope and Ensuring Adherence

For an international framework to be introduced, it is essential to identify the risks and effects of the problem as well as the responsibilities of each stakeholder to set guidelines, primarily on a national level. Member States and companies should be thoroughly aware of their responsibility scope and expand capacity building for the appropriate staff. Capacity building means expanding the workers' abilities, improving their skills and making them more capable of handling such situations. For this, more national action plans and accessible representation should be introduced. External regulators that would oversee the situation and ensure that human rights are respected could be involved.

Providing Educational Facilities

Incidents are mostly observed in less-developed regions where education is inaccessible. Workers should be provided with the appropriate education on their labor rights to prevent exploitation and facilitate their integration. Since insufficient mechanisms worsen the situation, international efforts should support vulnerable institutions and create educational facilities by allocating funds to create schools, employ professionals and increase awareness.

Ensuring Transparency

Transparency could eliminate violations and monitor the operations of transnational corporations. Like France's 2017 Law, businesses could be legally obliged to publish annual reports on their engagement with workers and other stakeholders. Such reports could include the challenges, the obstacles, the solutions, and the progress that companies observe every year to prevent abuses and interact with the public.

Expanding Access to Justice Mechanisms

Besides urging organizations to raise awareness through interactive programmes and campaigns, workers could become familiar with their legal rights through formal justice mechanisms. National contact points that would guide victims with legal advice could be implemented and companies could adopt their own, independent grievance mechanisms. Additionally, international bodies could form minimum standards for legal aid and fund accessible representation for victims that seek a remedy through courts.

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