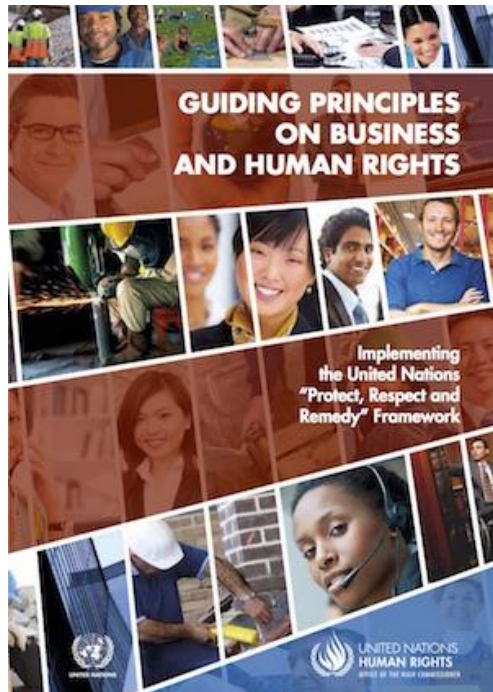


The Elimination of Child Labour within the Business and Human Rights Agenda

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International Labour Organization (ILO)

Business and human rights agenda → UN Guiding Principles on Business and Human Rights – Three pillars



UN Guiding Principles on Business and Human Rights (2011)

The State duty to protect against human rights abuses by businesses: policies, regulation, adjudication

Protect

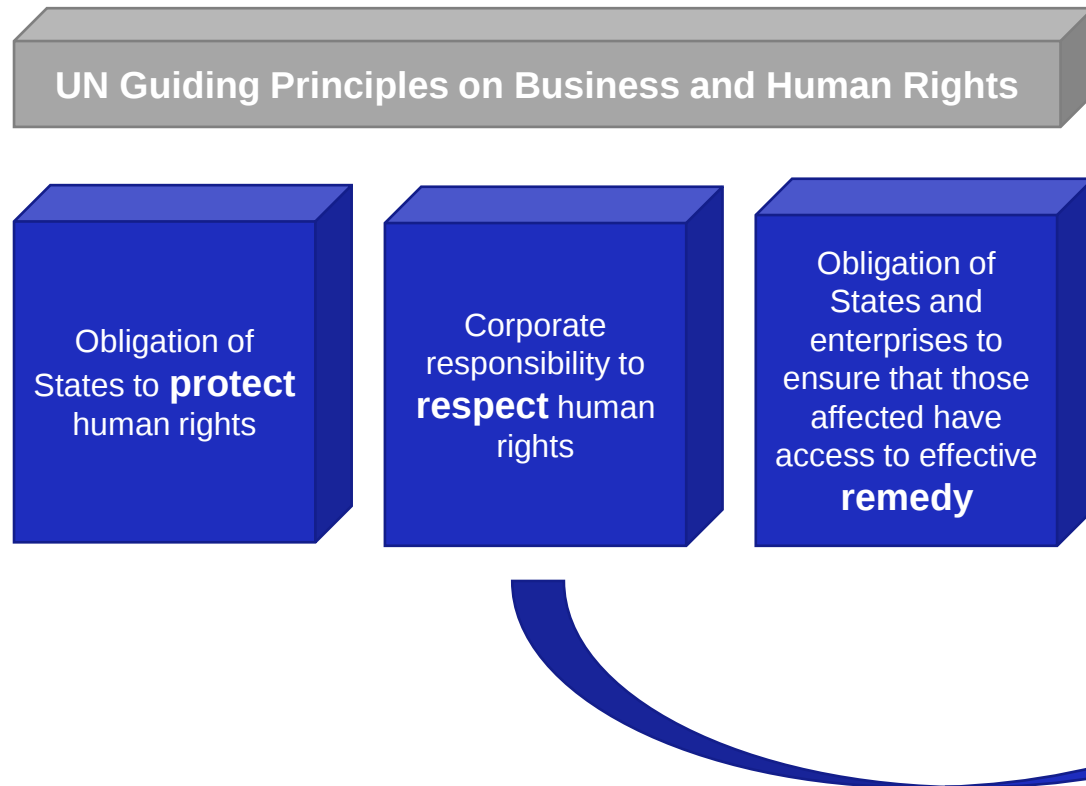
The corporate responsibility to respect human rights : act with **due diligence** to avoid infringements and address adverse impacts on human rights

Respect

Access to effective remedy for victims through judicial and non-judicial grievance mechanisms

Remedy

UN Guiding Principles on Business and Human Rights



- a) A policy commitment to meet their responsibility to respect human rights;
- b) A **human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts** on human rights;
- c) Processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute.

Guiding Principles on Business and Human Rights, Paragraph 15

► ILO and the business and human rights agenda

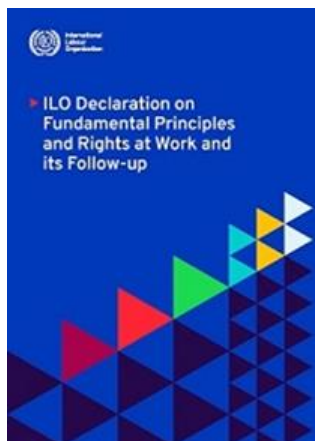
Labour rights are human rights

Where it concerns labour rights, the business and human rights agenda is founded on international labour standards and the ILO's constitutional mandate as the UN standard-setting organization in the world of work.

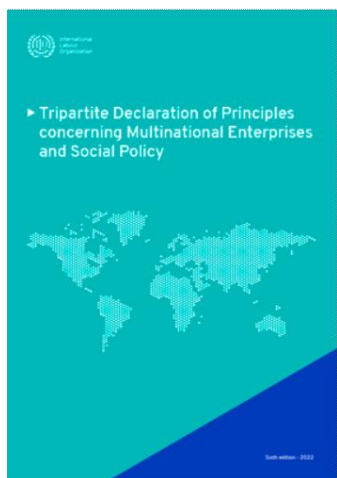
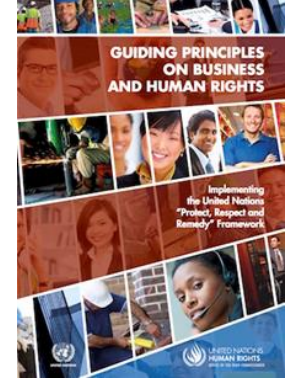
☐ ILO Declaration on Fundamental Principles and Rights at Work

The UNGPs call on businesses to respect internationally recognized human rights ***"understood, at a minimum, those contained in the International Bill of Human Rights and the principles concerning fundamental rights set out in the [ILO Declaration on Fundamental Principles and Rights at Work](#)"*** (paragraph 12)

Therefore includes the elimination of child labour



The UN “Protect, Respect, Remedy” Framework and its Guiding Principles (UNGPs)

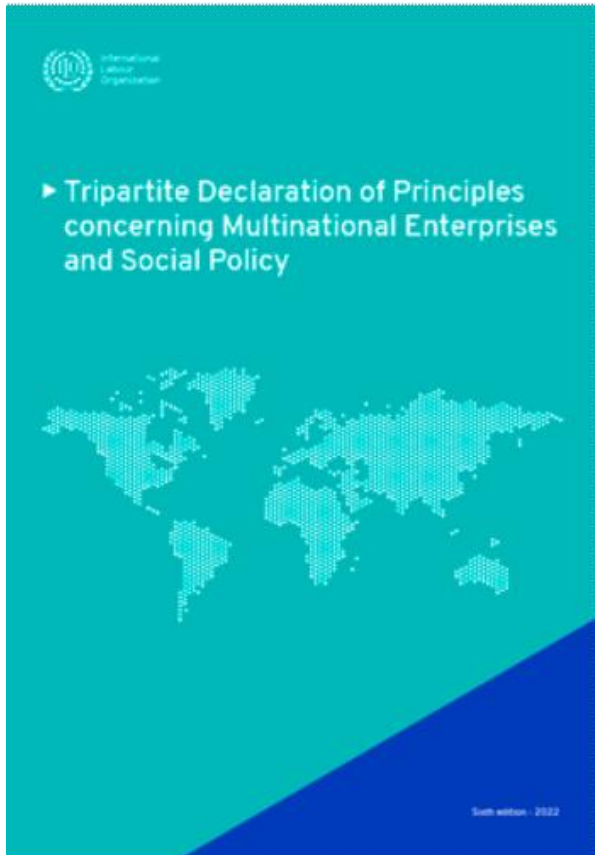


□ Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration)

The MNE Declaration is mentioned in the 2008 UN “Protect, Respect and Remedy” Framework as a prominent example of a unique instrument that enshrines the corporate responsibility to respect human rights.

Since 2017 the MNE Declaration itself makes reference to the UNGPs and confirms its similar approach of outlining distinct and complementary roles and responsibilities of actors (government, social partners and enterprises) needed to advance rights-based economic development and decent work.

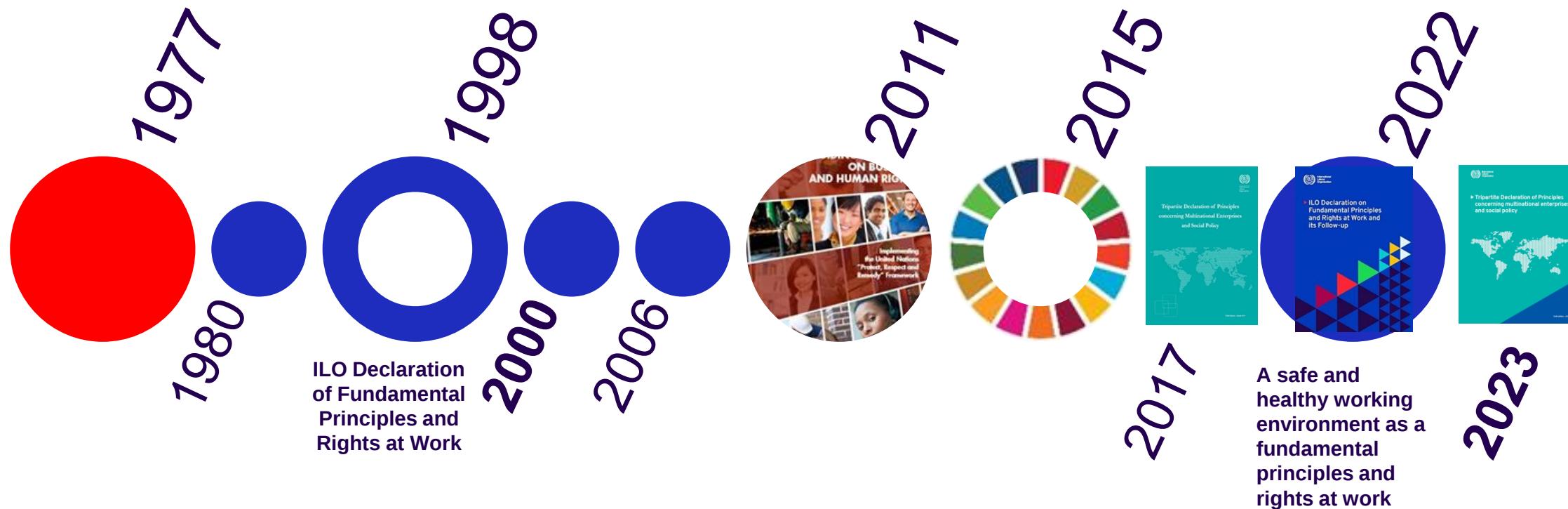
ILO MNE Declaration – Its aim

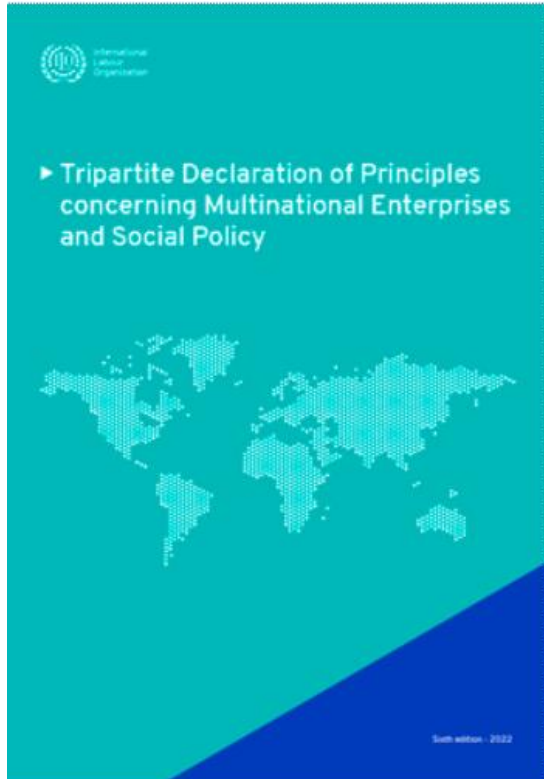


*The aim of this Declaration is to encourage the **positive contribution** which multinational enterprises can make to economic and social progress and the **realization of decent work for all**; and to **minimize and resolve the difficulties** to which their various operations may give rise.*

MNE Declaration, paragraph 2

Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) – A living document





Reference to due diligence in the MNE Declaration

*“In order to gauge human rights risks, enterprises – including multinational enterprises – should identify and assess any actual or potential adverse human rights impacts with which they may be involved either through their own activities or as a result of their business relationships. This process should involve **meaningful consultation with potentially affected groups and other relevant stakeholders including workers’ organizations**, as appropriate to the size of the enterprise and the nature and context of the operation.*

*For the purpose of achieving the aim of the MNE Declaration, this process **should take account of the central role of freedom of association and collective bargaining as well as industrial relations and social dialogue as an ongoing process.**”*

MNE Declaration, Paragraph 10 e)

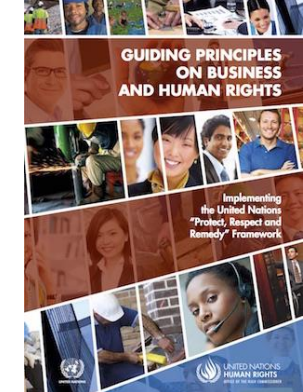
26 states have produced a national action plan on business and human rights

The UN Working Group on Business and Human Rights strongly encourages all States to develop, enact and update periodically **a national action plan on business and human rights**. Such plans express the commitment of States to disseminate and implement the Guiding Principles on Business and Human Rights in the national context.

- UK - launched September 2013, updated May 2016
- The Netherlands - launched December 2013
- Denmark - launched April 2014
- Finland - launched October 2014
- Lithuania - launched February 2015
- Sweden - launched August 2015
- Norway - launched October 2015
- Colombia - launched December 2015
- Switzerland - French | English - launched December 2016, Revised Action Plan 2020-2023 launched January 2020
- Italy - Italian | English - launched December 2016
- USA - launched December 2016
- Germany - launched December 2016
- France – Action plan French | English and Action plan proposals French | English launched April 2017

- Poland - launched May 2017 ; second edition Polish National Action Plan for the implementation of the UNGPS 2021-2024 English
- Spain - English | Spanish - launched July 2017
- Belgium - July 2017
- Chile - July 2017
- Czech Republic - launched October 2017
- Ireland - launched November 2017
- Luxembourg - English | French, National Action Plan on Business and Human Rights 2020-2022, launched 2020 (only available in French)
- Republic of Slovenia - English | Slovenian - launched November 2018
- **Kenya - launched June 2019**
- Thailand – English | Thai - launched October 2019
- Japan - launched October 2020
- **Uganda - launched August 2021**
- Pakistan – launched October 2021

See: OHCHR | National action plans on Business and Human Rights:
<https://www.ohchr.org/en/special-procedures/wg-business/national-action-plans-business-and-human-rights>



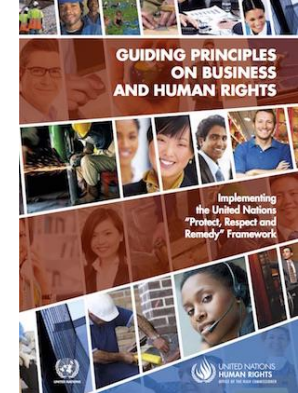
States that are in the process of developing a national action plan or have committed to developing one

- Argentina
- Australia
- Azerbaijan
- Guatemala
- Greece
- India
- Indonesia
- Jordan
- Latvia
- Liberia
- Malaysia
- Mauritius
- Mexico
- Mongolia
- Morocco
- Mozambique
- Myanmar
- Nicaragua
- Portugal
- Ukraine
- Zambia

States in which either the NHRI or civil society have begun steps in the development of a national action plan

- Ghana
- Kazakhstan
- Nigeria
- South Africa
- Tanzania
- The Philippines

See: OHCHR | National action plans on Business and Human Rights:
<https://www.ohchr.org/en/special-procedures/wg-business/national-action-plans-business-and-human-rights>



Policy coherence -- the linkages between international labour standards, the UN Guiding Principles on Business and Human Rights, and National Action Plans on Business and Human Rights

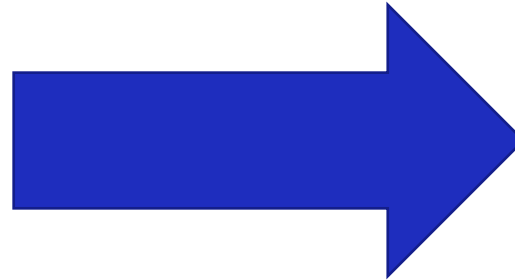
- ✓ **Jointly produced by the ILO and the UN Working Group on Business and Human Rights**, the brief explains the interconnectivity between international labour standards, the UN Guiding Principles for Business and Human Rights, and National Action Plans on Business and Human Rights (NAPs)
- ✓ **Addressed to governments, employers' and workers' organizations, who all have a critical role in the development, adoption and implementation of such NAPs**
- ✓ Assists ILO constituents in **identifying synergies and opportunities** for enhancing the government's role in the protection of labour rights as well as business respect for labour rights in their operations and access to remedy for victims of corporate human rights abuses.

https://www.ilo.org/empent/areas/mne-declaration/WCMS_800261/lang--en/index.htm



► Importance of integrating a NAP on child labour in a NAP on business and human rights

**National action plan
on child labour**



**National action plan on
business and human rights**

Role of national focal points for the promotion of the MNE Declaration

