



**GerMUN 2022**

**German Model United Nations | Weimar | 24 February - 27 February 2022**

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**GerMUN 2022 | Weimar**

**Code:** RES 1/1

**Committee:** Human Rights Council

**Topic:** Business and Human Rights

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*The Human Rights Council,*

*Guided by the principles and purposes of the Charter of the United Nations and the Universal Declaration of Human Rights (1948), as well as the Declaration on the Right to Development (1986), the Vienna Declaration and Programme of Action (1993), the Durban Declaration and Programme of Action (2001), the UN Declaration on Human Rights Defenders (1998), the Declaration on the Rights of Indigenous Peoples (2006), relevant International Labour Organization conventions, and recalling further the 2030 Agenda for Sustainable Development, as introduced by General Assembly resolution 70/1 on "Transforming our world: the 2030 Agenda for Sustainable Development", as well as all internationally-agreed human rights declarations,*

*Reaffirming the equality of all human beings in dignity and rights, the equal rights of men and women, and the need to promote social progress and better standards of life in larger freedom while respecting the obligations arising from the Charter of the United Nations,*

*Reaffirming the profound importance of the United Nations Guiding Principles on Business and Human Rights in their entirety, drawing, inter alia, the attention especially to the principles 4, 5, and 6 that address the applicability to state-owned enterprises in particular,*

*Deeply convinced that the adoption of legally binding instruments can effectively advance the indispensable human rights of all people in the work environment,*

*Highlighting, regarding this matter, the work of the Open-Ended Intergovernmental Working Group (OEIGWG) towards the development of an international treaty,*

*Emphasizing the duty of transnational businesses and companies to engage in human rights, seeing their regulation and involvement in the process as the main instrument to combat human rights violations,*

*Stressing the obligation of business enterprises to respect equal human rights as well as conditions on the labor market,*

*Reaffirming the interconnectedness of business and human rights resulting in a dire need for the inclusion of a gender-perspective focusing on women and related vulnerable groups,*

*Acknowledging that any artificial trade barriers can potentially affect the achievement of the United Nations human rights goals,*

*Recognizing the alarming findings concerning rising unemployment and extreme poverty published by the United Nations Development Programme in the 2020 Global Multidimensional Poverty Index,*

*Reiterating the importance of General Assembly resolution 41/128 of 1986 and thus the Declaration on the Right to Development (1986) enclosed thereto with its included right to work and protection against unemployment, as well as of Human Rights Council resolution 41/19 of 2019 on "The contribution of development to the enjoyment of all human rights", acknowledging that development forms the basis for an improvement of living standards and that development directly contributes to the enjoyment of all human rights,*

*Acknowledging the positive effects of trade unions, such as worker representation, the efficient trade theory, or counter-balance monopsony, yet the lack of national, regional, or international female trade unions,*

*Acknowledging* the efforts of the Office of the United Nations High Commissioner for Human Rights (OHCHR) Accountability and Remedy Project,

*Highlighting* the importance of Article 32 of the *United Nations Convention on the Rights of the Child* (1989) and the *Convention concerning Minimum Age for Admission to Employment* (1973), highlighting the importance of a minimum age for employment,

*Recommending* the Committee on the Elimination of Discrimination Against Women (CEDAW) monitors the *Convention on the Elimination of All Forms of Discrimination Against Women* (1979), especially regarding Article 15 of this Convention, asserting the full equality of women in civil and business matters, and

*Recalling* that all human rights are universal, indispensable, interdependent, interrelated, and inalienable and should be applied in a non-discriminatory way,

1. *Authorizes* the OEIGWG for a rework of their OEIGWG Chairmanship Third Revised Draft of August 17, 2021, with amendments stated in clause 2 of this resolution;
2. *Advises* the OEIGWG to amend their Third Draft to a Fourth Draft, as follows:
  - a. Integrating a gender perspective, in consultation with potentially impacted women and women's organizations, in all stages of human rights due diligence processes to identify and address the differentiated risks and impacts experienced by women, girls, and other vulnerable groups;
  - b. Mainstreaming due diligence on human rights in all transnational businesses, and binding transnational (TNCs) and multinational companies (MNCs) to impose due diligence in all bodies of their company by adopting a human rights perspective in the business environment;
  - c. Implementing a consultative mechanism in each signatory state, which shall aid the domestic implementation process, through non-governmental organizations and civil society organizations, as decided upon by the respective governments;
  - d. Clarifying that transnational and multinational businesses are responsible for human rights violations during the production process and that these violations must be the main focus of the frameworks the treaty-to-be obligates signatory state to establish;
  - e. Implementing an adequate amount of maternity leave defined by each signatory state itself as it improves the stance of women in the work environment, as well as prohibiting the dismissal of employees in connection with maternity leaves, and offering women and their partners who lost their children or had a stillbirth a certain time to grieve and process;
3. *Strongly recommends* that this Fourth Draft will form the basis for an international treaty present at the United Nations for signature if it reaches broad consensus within the working group and the weaknesses of the previous drafts are successfully addressed;
4. *Encourages* the OEIGWG to discuss the amendments proposed in line with their usual workflow hoping for a fast ratification process of the treaty;
5. *Invites* all Member States to sign this treaty and implement its measures within a transition period of three years into domestic legislative processes of all Member States;
6. *Proposes* that all UN bodies should not implement any new artificial trade barriers if these barriers do negatively affect the human rights goals of the UN in general or the national human rights standards of any Member States;
7. *Furthermore proposes* clause 6 to be exclusive for the following markets:

- a. The market for medical equipment;
  - b. The food market;
  - c. Monetary transfers in order to fight humanitarian crises, necessary for countries that are hardly hit by humanitarian crises and experience resources shortages;
8. *Encourages* to provide judicial and non-judicial grievance mechanisms in all Member States following the recommendations of the OHCHR Accountability and Remedy Project, making them accessible to all workers, especially women, independently of their income, race, or gender by:
  - a. Providing guidance and information on the use of these mechanisms on online websites of grievance institutions;
  - b. Advertising the existence and use of these grievance possibilities in trade unions and workers associations;
  - c. Supporting companies in the implementation of company intern report systems regarding human rights violations as a place to go to for discriminated victims;
9. *Calls upon* all Member States to work towards effectively alleviating poverty and furthering development as these are inseparably linked to the implementation of human rights in businesses;
10. *Suggests* that Member States set a minimum age for young adults to work and to limit the amount of time they are allowed to work based on their age with at least two divisions, proposed by the ages 14 to 16 and 16 to 18;
11. *Invites* Member States to encourage the creation of female trade unions ensuring safe working conditions to end gender-based discrimination;
12. *Recommends* CEDAW to host annual Female Trade Unions Global Meetings (FTUGMs) at the UN headquarter in New York, to which the regional trade unions established in clause 13 will be invited to and where experiences and best practices can be exchanged;
13. *Suggests* Member States get in touch with neighboring Member States to create regional groups where female trade unions can apply to, who hold regional meetings and who participate in the annual FTUGMs.