

UN GLOBAL COMPACT HUMAN RIGHTS AND LABOUR WORKING GROUP (HRLWG)
TERMS OF REFERENCE
NOVEMBER 2013¹

Under the auspices of the UN Global Compact Board, the Human Rights and Labour Working Group is a group of people with varied and complementary expertise from business, trade unions, civil society and others to advance the principles of the UN Global Compact concerning human rights and labour .

Objectives:

Consistent with international standards on human rights and labour and the UN Global Compact's mandate from the UN General Assembly to advance United Nations values and responsible business practices within the United Nations system and among the global business community, the overarching objectives of the HRLWG are:

- *To advance respect and support for human rights and labour principles within the framework of the Global Compact with a particular emphasis on the Guiding Principles on business and human rights (Guiding Principles), and the ILO Fundamental Principles and Rights at Work;*
- *To identify obstacles to business respecting the Global Compact principles concerning human rights and key dilemmas faced and advise on practical ways of overcoming them;*
- *To provide advice to the Global Compact Office on its work streams related to human rights and labour principles;*
- *To support Local Networks and their efforts to promote respect and support of human rights and labour principles in business context*
- *Enhance synergies and cooperation, and avoid duplication, with other initiatives on business and human rights and labour principles.*
- *To make recommendations to Global Compact participants and businesses generally on topics relevant to human rights and labour principles; and*
- *To act as a platform for collective business and multi-stakeholder action concerning human rights and labour principles.*

Activities to be undertaken by the HRLWG may include:

1. General advice;
2. Tools, guidance and good practice;
3. Collective action;
4. Local action.

¹ This Working Group is a merger of the Human Rights Working Group and the Labour Working Group. With the adoption of the Guiding Principles by the UN Human Rights Council in June 2011 and thus in light of growing recognition that labour rights are human rights, it was decided by the Chairs and members of those groups to consolidate them into the Human Rights and Labour Working Group, to ensure a coherent approach and enhance synergies.

These initiatives are elaborated below. Please also refer to a list of all current workstreams of the HRLWG on the website:

http://www.unglobalcompact.org/Issues/human_rights/Human_Rights_Working_Group.html

(1) General advice:

- *Advise on ways to improve respect for the Global Compact's principles on human rights and labour principles by participants (both MNEs and SMEs) through the Guiding Principles and respect for ILO fundamental principles and rights at work;*
- *Help scope opportunities and advise on priorities for the Global Compact's Human Rights workstreams;*
- *Act as a standing group of people with varied and complementary expertise from whom advice can be sought on business and human rights by the Global Compact Office and Global Compact Local Networks;*
- *Advise on sector-specific approaches to advancing business uptake of labour and human rights principles;*

(2) Tools and guidance materials

- *Facilitate access to information on the meaning of human rights and labour principles based on the Guiding Principles as well as labour topics as addressed by the ILO Helpdesk for Business, all derived from the ILO MNE Declaration;*
- *Advise on methodologies for improving the uptake by Global Compact participants of tools and guidance relevant to human rights and labour principles (especially concerning OHCHR material elaborating on the Guiding Principles and ILO material on Fundamental Principles and Rights at Work);*
- *Advise on the existence of other tools and guidance materials that the UN Global Compact should recommend and promote among participants and others;*
- *Help identify the need for new tools and other guidance documents on human rights and labour principles, for further development, as appropriate, with the technical assistance of ILO and OHCHR;*
- *Help source examples and other inputs for tools and guidance material;*
- *Pilot new tools on human rights and labour principles and provide a platform for the exchange of experiences of using the tools. Act as a forum and clearing-house for identifying good business practice on human rights and labour principles through a rigorous multi-stakeholder and peer-review process;*
- *Participate in peer review of case studies and good practice notes, including on experience with "due diligence".*

Overall, special emphasis should be given to the needs in developing countries and emerging markets.

(3) Collective action

- *Advise on possible types of collective action that Global Compact participants and other stakeholders, or the Human Rights and Labour Working Group itself, can engage in to advance business uptake of the labour and human rights principles.*

- *Where possible, take a leading role in championing collective actions.*

(4) Local action

- *Support and build capacity for Local Networks on issues related to the human rights and labour principles;*
- *Suggest opportunities for Local Networks to advance business' uptake of human rights and labour principles;*
- *Encourage Local Networks, where possible, to work with other partners and/or stakeholders such as National Human Rights Institutions, trade unions and employers' organizations; and*
- *Support Local Networks interested in conducting activities on human rights and labour principles.*

(5) Guiding Principles on Business and Human Rights

- *Contribute to the wider dissemination of the Guiding Principles and other human rights standards, including the ILO Fundamental Principles and Rights at Work, to GC participants;*
- *Advise on and contribute to promoting respect for human rights in line with the Guiding Principles; and*
- *Advise on how Global Compact Local Networks can contribute to greater respect for human rights based on the Guiding Principles.*

Chairing of the HRLWG:

The HRLWG is co-chaired by Global Compact Board Members, comprising a civil society representative for human rights, a trade union representative and two business representatives.

The role of the Chairs will be to chair the meetings of the HRLWG and oversee its overall functioning. The Chairs are also the liaison between the Global Compact Board and the HRLWG, and share with the Board updates of activities as well as new initiatives at Board meetings.

The Chairs may elect to nominate another person from within their own or another organization as an intermediary with whom the Secretariat comprised of the Global Compact Office (GCO), the International Labour Office (ILO) and the Office of the High Commissioner for Human Rights (OHCHR) may interact with between meetings for planning purposes.

Membership of the Global Compact Human Rights Working Group (HRLWG):

The HRLWG is a multi-stakeholder group comprised of companies participating in the Global Compact; Global Compact Local Network representatives; staff from international organizations; trade union representatives; investors; civil society organizations active on business and human rights; academics with relevant expertise; and relevant business networks. Two-thirds of members should be representatives of Global Compact business participants.

The GCO, the ILO and the OHCHR are *ex officio* members of the HRLWG and function together as its Secretariat.

Membership of the HRLWG will be confirmed by the Co-Chairs on the advice of the Joint Secretariat and take into account the need for regional/sectoral representation, gender balance, type of organization as well as the organization's interest and activity on labour and human rights principles.

In the list of members of the Working Group, members will be listed with their organizational affiliation. However, what they say and do in the working group will not be interpreted as the official perspective or action of the organization they work for unless they explicitly state otherwise.

Terms of participation

Each member of the HRLWG commits to:

- At a minimum, participate in one annual in-person planning and stocktaking meeting of the HRLWG and in any additional meetings (e.g. webinars or teleconferencing) where possible;
- Contribute actively to at least one of the HRLWG's workstreams or initiatives per year;
- Actively participate in review of at least one case study and one good practice note as a peer reviewer;
- In addition, participate actively in the review of final case studies and good practice notes presented to the HRLWG for their approval/endorsement; and
- Participate in any other activities decided by the HRLWG to the extent possible.

Members are encouraged to identify an alternate from their organization in the event that they are not able to participate in meetings or other activities.

Value from the HRLWG comes from active engagement from participants in the group. The Secretariat therefore, at its discretion, reserves the right to exclude members that are not contributing to advancing the workstreams of the group. Every two years, HRLWG members must renew their commitment to continued participation by expressing their interest in response to a questionnaire sent by the GCO.

For company HRLWG members also participating in Global Compact LEAD, a higher level of commitment and active participation are required for continued membership in the HRLWG.

The Chairs and the Secretariat may decide, in their sole discretion, to allow observers to participate in some or all meetings of the HRLWG.

Methods of working:

The HRLWG will convene an annual meeting for planning and stocktaking of activities of the HRLWG. All members are expected to participate in the meeting.

Beyond the annual meeting, the HRLWG will convene meetings as and when the need and opportunity arises. To be cost and carbon effective, it is expected that most additional meetings will be in the form of tele/video conferences and/or webinars.

During the annual meeting, or at any other time a new activity is initiated, sub-committees or sub-groups of HRLWG members may be formed to lead each activity. Such sub-committees are expected to provide quarterly updates to the HRLWG through the Secretariat and Chairs about progress of the

work. The sub-committees should strive to have a multi-stakeholder composition. The sub-committees will develop their own programme of work as required by the particular activity. Members of the sub-committees are expected to participate actively in any activity required to meet the objective of their respective sub-committees.

A sub-committee can request the Chairs (through the Secretariat) to convene a conference call with the HRLWG to discuss a particular issue or to update the HRLWG on progress.

HRLWG endorsement or approval of an initiative, tool or other activity can take place either during the annual meeting or during any other HRLWG meeting, including tele/video conferences and/or webinars. In such cases, a quorum of at least 18 members of the HRLWG will usually be needed to make active endorsements or approvals. In between meetings, written procedures may be used to endorse or approve documents provided at least two weeks notice is granted.

Funding

Members of the HRLWG are expected to cover their own costs of participation, including travel, where relevant. Subject to the availability of funds, limited funding may be available to cover participants' travel or other costs in cases of hardship. Priority will be given to participants from developing economies and/or members of trade unions, business organizations and civil society organizations that have made a significant contribution to the HRLWG. Requests must be made in writing in advance.
