

## **Guidance to Plan Events with consideration for Human and Child Rights**

**This document has been written as proposed content for a possible revision of ISO 20121 or with a view to it being developed as guidance to ISO 20121 in the form of an annex. For this reason there is clear reference to ISO 20121 throughout the document.**

**A reader with limited knowledge of ISO 20121 will still be able to understand the content and informed about the action to take to be able to plan their events with consideration for human and child rights.**

### **D.1 General**

#### **What is events' responsibility to respect human rights?**

Human rights are the basic rights and freedoms to which without exception all human beings are entitled from birth. They are the ground-rules for treating people with dignity, respect, equality and fairness. Human rights are moral principles and norms rooted in all the world's cultures and religions but which transcend both. The primacy of human rights has been emphasised by the international community in the International Bill of Human Rights and core human rights treaties that emerged after World War 2, many of which are embedded in national laws. Human rights include the right to life, freedom from slavery and torture, freedom of religion and expression, the right to privacy, the right to rest and leisure, the rights to work, to education, to health and an adequate standard of living, and freedom from discrimination. Human rights take in child rights (protected by the UN Convention on the Rights of the Child), workers rights (covered by Conventions of the International Labour Organization), the rights of people with disabilities (protected by the UN Convention on the Rights of Persons with Disabilities) and rights of other groups (see bibliography).

Recognition and respect for human rights are widely regarded as essential to the rule of law and to concepts of social justice and fairness and as the basic underpinning of the most essential institutions of society such as the judicial system. Organisations benefit from a social and international rules-based order in which people's rights and freedoms can be fully realized.

While most human rights law relates to relationships between the state and individuals, it is widely acknowledged that non-state organisations can affect individuals' human rights. States have a duty and responsibility to respect, protect and fulfil human rights. Organisations have a responsibility to respect human rights.

Human rights good practice is guided by the UN Guiding Principles on Business and Human Rights (UNGP), which address both the State duty to protect and the corporate responsibility to respect human rights, as well as the need for access to remedy for victims. The corporate responsibility to respect applies to all enterprises operating commercially irrespective of size or geography. The nature of each organisation's response will reflect its size and the resources it has available. Organisations have a basic responsibility to respect human rights or 'do no harm', with only a secondary focus on promoting or helping realise people's human rights.

The UNGPs outline the policies and processes businesses, including event organizers, need to put in place to demonstrate that they meet the “corporate responsibility to respect” human rights. It comprises three core elements:

- A policy commitment to meet the responsibility to respect human rights
- A human rights due diligence process to identify, prevent, mitigate and account for how the organisation addresses potential or actual human rights impacts
- Processes to enable the remediation of any harm caused or contributed to by the organisation.

The term “Human Right Due Diligence” is sometimes used as an umbrella term to cover this whole process. The focus of human rights due diligence is to prevent and mitigate impacts on people, for example in the event industry this would mean focusing on impacts on people rather than impacts on the event or its brand reputation.

Human rights should be considered at every stage of planning and delivering an event. The process to do this aligns with the [ISO 20121 process \(ISO process in blue font\)](#).

By adding ‘human rights’ to the list of internal and external issues to be covered in;

[4.1 Understanding of the organization and its context](#)

[4.2 Understanding the needs and expectations of interested parties](#)

And by adding the interested parties listed in D4 to the list of interested parties in:

[6.1.2 Issue Identification and Evaluation b\) social](#)

Consideration for Human rights will be integrated into the ISO 20121 process.

By taking the above action your ISO 20121 sustainability policy, objectives, targets, plans, corrective action and every other process within ISO 20121 will reflect human rights considerations.

## **D2 Terms and Definitions [\[ISO 201213\]](#)**

**The following changes to ISO 20121 would reflect human rights considerations:**

The addition of a second note to [entry 3.42](#) will ensure the consideration for human rights is integrated into the ISO 20121 process. [3.42](#) would now read as:

[3.42](#)

[context](#)

[environment in which the organization \(3.1\) seeks to achieve its objectives \(3.6\)](#)

[\[SOURCE: ISO Guide 73:2009, 3.3.1.1 and 3.3.1.2, modified\]](#)

[Note 1 to entry: Context can be external or internal. See Clause A.3.](#)

[Note 2 to entry; Context could include human rights legal obligations including the identification of any human rights protections and gaps in legislation.](#)

## **D3 Context [\[ISO 20121 4.1\]](#)**

**The following changes to ISO 20121 would reflect human rights considerations:**

When you determine external and internal issues that are relevant to your purpose consider the human rights context in the host country (and any high-risk countries in the supply chain). In determining the human rights context it is important to take account of the hierarchy of human rights norms, which gives primary importance to international law over national laws (see detailed guidance in the planning section on how to conduct an assessment of the human rights context). Organisations will need to identify any human rights protection gaps in law and assess how deep these go, as well as gaps in law enforcement and access to justice and whether the event might exacerbate them. Human rights legal protections include health and safety regulations, diversity and equal opportunities requirements, accessibility, safeguarding and modern-anti slavery requirements.

#### **D4 Understanding the Needs and Expectations of Interested Parties [ISO 20121 4.2]**

##### **The following changes to ISO 20121 would reflect human rights considerations:**

Extending the list of interested parties to cover those detailed below will lead to increased engagement on the issue of human rights within the ISO 20121 process:

- i - National Human Rights Institutions
- ii - National and International Human Rights NGOS (non-governmental organizations)
- iii - Trades Unions (as a part of industry bodies)
- iv – Grassroot and Community-based organisations

Consideration of human rights requires giving thought to which people may be affected (affected groups) by the event activities and goods / services of event partners. Below is a list of potential affected groups. Affected groups are sometimes known in human rights circles as (human) rights-holders. The interested parties listed above (D4 i-iv) can give insight into who the potential affected groups might be in the given context.

##### Affected groups

- Athletes / participants / performers
- Children / young people (Under-18s)
- Community / local community / local residents
- Employees / workforce / staff / volunteers
- Fans / spectators / visitors / attendees / supporters
- Homeless people
- Human rights defenders / activists
- Indigenous / Aboriginal / First nation communities
- LGBTQA people
- Local business / vendors including small to medium enterprises
- Media / journalists / reporters
- Minorities – ethnic / racial / religious
- Migrant workers (documented or undocumented)
- Persons living in poverty or in sheltered accommodation or an equivalent
- People with disabilities or other impairments
- Refugees
- Women at risk / Survivors of domestic violence

The human rights due diligence process to identify potential or actual adverse human rights impacts requires stakeholder engagement. It should include internal and external stakeholders, and involve ongoing engagement and consultation with;

- Human and child rights experts (see list D4 i-iii). These stakeholders do not always have human rights in their name e.g. trades unions, and
- Affected groups / individuals, including those from vulnerable or marginalised sections of society.

Because affected groups are often from vulnerable or marginalised sections of society they are:

- a) at heightened risk from negative impacts linked to the event or its goods and services
- b) less likely than other stakeholders to come forward to engage in stakeholder engagement processes and may lack trust in organisations seen to be in positions of authority (e.g. event organisers)

Stakeholder consultation with affected groups therefore requires some additional sensitivity and effort.

Human rights expert organisations (see D4 i-iv – e.g. campaigning organisations, National Human Rights Commissions / Institutions / Ombudspersons, trades unions / union confederations, child rights experts) can support the external stakeholder engagement. This is because they often command the trust of affected groups, have extensive networks and may have the skills to serve as intermediaries and facilitate or mediate stakeholder consultations.

Human rights experts can help ensure the engagement process is not undermined by biased feedback or feedback that reinforces existing assumptions due to only engaging those stakeholders the event already expects will be important.

Stakeholder engagement with affected groups should:

- Be transparent and clearly communicated
- Share sufficient information for different affected groups to make informed decisions
- Be framed in terms of dialogue around the impacts of the event

Steps may be needed to remove barriers to engagement e.g. convening dialogues outside of standard working hours, providing materials in a range of languages, in child-friendly formats, or in ways that meet the needs of people with various kinds of disability, e.g. visual impairments.

Stakeholder engagement with human rights experts and affected groups can help identify the most severe (the term salient is often used) potential or actual human rights impacts.

## **D5 Sustainable Development Principles, statement of purpose and values [ISO 20121 4.5]**

**The following changes to ISO 20121 would reflect human rights considerations:**

When you define your governing principles of sustainable development consider human rights to integrate human rights within the ISO 20121 process.

## D6 Policy (ISO 201215.2)

**The following changes to ISO 20121 would reflect human rights considerations:**

After

c) includes a commitment to satisfy applicable requirements;  
add the following:

‘Including all international human rights as covered in the International Bill of Rights (i.e. the Universal Declaration of Human Rights, and the International Covenant on Civil and Political Rights, and International Covenant on Economic Social and Cultural Rights), the ILO Fundamental Principles and Rights at Work and the UN Convention on the Rights of the Child’.

This addition will ensure consideration for human rights (including labour and child rights) is integrated into the ISO 20121 process.

## D7 Actions to Address Risks and Opportunities (ISO 201216.1)

**The following changes to ISO 20121 would reflect human rights:**

When you plan your actions to address risks and opportunities consider the following in order to integrate consideration for human rights within the ISO 20121 process.

Human Rights due diligence is about addressing risks to people. This makes it different from traditional risk management which focuses on material risks to the business or brand reputation.

Human rights due diligence requires an assessment of the severity of the event’s potential or actual human rights risks / impacts (the term ‘saliency’ is often used to describe this).

How to assess saliency:

The organisation should determine each actual/potential adverse human rights impact’s

- Scale – the gravity or extent of the human rights impact, e.g. forced labour, forced evictions of families, impacts on community access to essential resources (water, energy) and services (e.g. health or education facilities); children are acutely vulnerable to many of these issues.
- Scope – the number of people affected or how widespread is it, e.g. a large percentage of workers in a supply chain or factory are paid late.
- Irremediability – whether it will be easy, difficult or impossible for a harm to be put right (e.g. through reinstatement) or for a former condition to be restored (e.g. life-changing workplace accidents). Note - delays in the response can make a harm irreversible or irremediable.

The greater the scale, scope or irremediable nature of the impact in question the more salient they are.

Events should use the assessment findings to prioritise action on the most salient / severe potential or actual negative human rights impacts. Typical risk management approaches often use the concept of spheres of influence, which assumes that the enterprise should prioritise those risks where it can exert the greatest leverage – usually starting with its direct operations and moving outwards in concentric circles across its value or

supply chain as its influence diminishes. Human rights due diligence is different. In this case the severity of any potential or actual human rights impact is the deciding factor. The extent of the event’s ability to control or exert leverage over its partners is secondary and only determines how they can go about preventing, mitigating or remedying particular risks, not which to address first.

The concept of saliency differs from materiality. Saliency is about identifying those human rights at risk of the most severe negative impact, with a focus on the avoidance of harm, whereas materiality focuses on issues that are a priority for a particular set of stakeholders e.g. by investors or sponsors.

Knowing the saliency of the human rights impacts will influence other stages of ISO 20121 implementation including Issue Identification and Evaluation and Objective Setting.

### D8 Issue Identification and Evaluation (ISO 201216.1.2)

The following changes to ISO 20121 would reflect human rights considerations:

Human rights due diligence involves assessing, preventing or mitigating potential or actual adverse human rights impacts. The appropriate response will depend on whether the organisation has or is likely to have ‘caused’ or ‘contributed’ to the adverse human rights impact through their own activities (by their ‘actions’ or ‘omissions of action’), or if the impact is ‘directly linked’ to their operations, products or services via third-party business relationships (e.g. by the actions or omissions of a government or business partner in the value chain)

Events can be directly linked to a human rights abuse or harm through its business relationships, even if they have not contributed to those impacts. Events cannot assume any partner, even those in government, will not be complicit in adverse human rights impacts.

#### Examples of the ways in which an event could impact human rights:

- **Cause** - if their own actions cause harm, e.g. discriminating against a worker on ethnicity or other grounds, or forcibly evicting families for land development.
- **Contribute to** – if in combination with partners their activities cause harm, or they substantially incentivize and enable a third party to cause harm, or if the event could and should have foreseen the outcome, and could have put mitigation in place to prevent it, e.g. increasing production targets for merchandise at the last minute that could have been foreseen to lead suppliers to compromise working conditions.
- **Direct linkage** – if the event is linked via a third party to products, services or operations that cause harm, e.g. if a contracted construction firm uses trafficked migrant workers without the knowledge of the event, or a firm producing event merchandise breaches a supplier code of conduct and uses child labour.

Expected actions based on relationship to the negative impact on people		
Cause	Contribute to	Direct Linkage
Prevent or cease the action	Prevent or cease the contribution	

Address or mitigate the impact	Use leverage to the fullest extent possible to address or mitigate any remaining adverse impacts	Use leverage to the fullest extent possible over the third party that caused/is causing the harm to prompt the to prevent or mitigate the adverse impact. This may be done individually or in collaboration with others.
Provide, or cooperate in, remediation	Provide, or cooperate in, remediation	

**Leverage:**

Where an event is directly linked to a harm via its business relationships, it should exert leverage over that partner to the fullest extent possible, whether the relationship is with a branch of government, a commercial partner or other entity in the value chain.

Leverage is the ability to effect change by exerting pressure or influence over the third party that causes or contributes to the human rights harm, with the aim of bringing an end to the harm, to avoid future harms, or to remediate the problem. When an event is able to use leverage to prevent or mitigate a human rights abuse / harm it should do so.

In practice events may have limited leverage or may face legal constraints on how they can influence third parties causing or contributing to human rights harms, for example if the event commands limited market share or cannot offer repeat business, or if close to the event date there is no time to go back out to tender and contract a new supplier.

To be prepared events should look at ways to strengthen their leverage. For example through pre-qualification criteria in procurement contracts, contractual arrangements, or offering capacity-building incentives to raise business standards among suppliers. Events might also explore if collaboration is possible with other buyers to pool their leverage .

Where the event is unable to increase leverage, they may face the choice of suspending or ending the business relationship, taking account of any further human rights harms that could arise from doing so (e.g. sudden job losses, child labourers being forced into more dangerous ways of adding to family income). Where the relationship is crucial to the event and no alternative exists, the event may choose to continue or temporarily suspend a relationship whilst pursuing risk mitigation steps. If the event assesses that the severity of the human rights abuses in question is so great that it leaves them with no choice but to terminate the relationship, or continue with the relationship but knowing the possible reputational consequences, they should act accordingly. At a minimum the event should do its best to show that it is seeking to mitigate the harm / abuse in question.

**D9 Support (ISO 20121 7.1 resources, 7.2 competence)**

**The following changes to ISO 20121 would reflect human rights considerations:**



A budget line may be required to cover training, and/or any additional staffing support needed to take appropriate action to address the identified human rights impacts and set up remedy measures where this is necessary in cases of non-compliance.

An action that could be taken to ensure competence on human rights would be to organise a workshop for top management and other staff. This could create a foundation for a cross-functional human rights working group for those teams with the most direct relationship to human and child rights impacts (e.g. Procurement, Legal, Human Resources, Licensing, Security, Workplace Health and Safety, Safeguarding, Sponsorship, Staff) and those most closely linked to the event's salient human rights risks.

## **D10 Communication (ISO 20121 7.4)**

### **The following changes to ISO 20121 would reflect human rights considerations:**

To account for and show how the event addresses its human rights impacts it needs to communicate with its internal and external stakeholders. This is important because it:

- Builds trust with stakeholders
- Meets the growing expectations for evidence of human rights good practice.

**Communicate publically, regularly and in a format that is accessible, especially to affected groups.** Human rights communication / reporting should include successes and failures and lessons learnt, and cover qualitative and quantitative findings. The communication can take many forms e.g. in-person annual stakeholder engagement meetings, on-line consultations, web updates or formal sustainability reports, and should be accessible to persons from affected groups (e.g. people with visual impairments).

Make use of relevant human rights reporting tools e.g. the *UN Guiding Principles Reporting Framework*.

### **The event should report on its:**

- ✓ **Policy commitment to respect human rights e.g.** Communicate how the policy was developed, what it covers, and to whom it applies, and how human rights fits into the event's wider approach to sustainability.
- ✓ **Systems to embed the human rights policy within its Governance e.g.** disclose who is responsible and accountable for managing human rights issues.
- ✓ **Due diligence systems** i.e. give a coherent narrative of how the event assesses its human rights impacts, including how it determines its salient human rights issues, how it identifies, prevents and addresses its salient human rights risks, the approach it takes to consult with interested parties and affected groups, and how it acts on these findings, sets priorities, uses leverage over third party relationships, and develops its preventive action plans, and how it tracks performance to know if its efforts to address each salient human rights issue are effective in practice.
- ✓ **Systems to remedy adverse human rights impacts it has caused or contributed to** e.g. how the event knows if affected groups feel empowered to raise complaints, how it receives and processes complaints and assess the effectiveness of outcomes, identifies any patterns of complaints or concerns and uses these findings to learn lessons.



The event should give due care and attention to ensure its communications do not endanger people or put any affected person at risk, including by protecting their identity.

Communicate enough information in the report to enable external stakeholders to evaluate the event's response to its human rights impacts.

Verify or assure the human rights communications to strengthen both the content and its credibility. This can be done through pro-bono services or with input from human rights experts and interested parties at limited expense.

## **D11 Operational Planning and Control [ISO 20121 8.1]**

### **The following changes to ISO 20121 would reflect human rights considerations:**

The following key questions could be contemplated to ensure your operational plans reflect a consideration for human rights

- ✓ Are you aware of the key human rights issues that have been identified for this event?
- ✓ What are the implications, if any, for your event?
- ✓ Have any salient human rights risks been identified?
- ✓ Are you aware of any negative impacts on people your event may cause or contribute to? How will you prevent, cease, mitigate, address and remedy these impacts?
- ✓ Are you aware of human rights impacts that may be caused by your business relationships? How will you use leverage to prevent or cease such harms and stop them recurring?
- ✓ Have key teams received sufficient human rights training or do they require any additional support?
- ✓ How will your teams deal with violations and do they know how to escalate issues that arise?
- ✓ For any policies developed specifically at team level, how do they incorporate issues around human rights if applicable?
- ✓ Have you screened all suppliers for human rights and labour rights issues within your evaluation process and are you confident in your choice of supplier/s?
  
- ✓ Have you screened for children safeguarding risks to prevent harm to children at the event and to respond where issues arise?
- ✓ How do you propose to consult with affected groups (human rights-holders) to get their input on proposed actions to prevent or mitigate or remedy human rights harms?
- ✓ What mechanisms have you put in place to continually monitor suppliers throughout their contract term?
- ✓ What steps have you put in place to communicate publicly the work your team is doing to address human rights issues.

## **D12 Supply Chain Management [ISO 20121 8.3]**

### **The following changes to ISO 20121 would reflect human rights considerations:**

The supply chain is a high-risk area from a human and child rights perspective and human rights ought to be integrated into the procurement process and contracts. Human rights issues outside the workplace should also be considered e.g. if migrant workers in

the workforce do not enjoy the same legal protections as other workers, or have to live in poor staff accommodation

Embedding human rights considerations into the event's procurement could include:

- i) Integrating human rights in relevant materials for suppliers and other business relationships. This could cover:
  - ✓ Why the event takes human rights seriously
  - ✓ What the event expects of its suppliers/sub-contractors/partners from a human rights perspective
  - ✓ Any procurement requirements, policies and contractual terms, and
  - ✓ How addressing the UNGPs human rights due diligence process may give them a competitive advantage.
  
- ii) Referencing the ILO Declaration of Fundamental Principles and Rights at Work (this covers child and forced labour, non-discrimination and freedom of association and collective bargaining) or other third party codes which are themselves underpinned by ILO Conventions (see bibliography) in supplier codes of conduct.
  
- iii) Building human rights expectations into the tendering process
  - ✓ Include respect for human rights in any pre-qualification tender requirements
  - ✓ Develop a sourcing / supplier code as part of contractual terms with suppliers (including sponsors) and include within it audit stipulations and reporting processes.
  - ✓ For high-risk procurement incorporate additional human rights requirements into tenders to reflect the risks inherent in the type of product category (e.g. certain merchandise and textile products should meet human rights-related factory audit stipulations).
  - ✓ Consider making human rights due diligence (including human rights impact assessments, audits, tracking and communicating on performance) and providing access to effective remedy for victims of harm a contractual condition for high-risk suppliers.
  - ✓ For high-risk suppliers raise questions about how they will comply with these processes, e.g. ask how they will ensure oversight of their supplier factories. Consider requiring self-assessments on human rights good practice a condition of tenders.
  
- iv) Embedding human rights criteria in the tender evaluation process
  - ✓ Ensure skills are in place to evaluate the human rights elements of tender submissions.
  - ✓ Incentivize good practice through linking performance to final supplier payments (identifying potential back up suppliers where possible).
  - ✓ Be explicit about any sanctions applied for non-compliance, including any 'red-lines' that are non-negotiable. These will lay a foundation for exercising leverage if needed. The event should prepare itself for scenarios in which it may need to terminate relationships, e.g. where risk mitigation and/or the use of leverage fails, or where the severity of the human rights impacts leave it with no other alternative

## **The following changes to ISO 20121 would reflect human rights considerations:**

Monitoring, measurement, analysis and evaluation should include quantitative and qualitative indicators, for example:

- ✓ Numbers of affected stakeholders consulted and aggregated data on the types of at-risk groups represented e.g. children, people from particular minorities, LGBTQ community members
- ✓ Number of salient potential/actual human rights impacts identified, and how many had been addressed
- ✓ Rates and severity of workplace accidents
- ✓ Percentage of human rights action points implemented and how many met planned deadlines
- ✓ Percentage of affected stakeholders who found the event's remedy process to be trustworthy, predictable, timely, accessible and fair/equitable.

Qualitative data can be instructive and help improve human rights systems e.g. levels of satisfaction with the stakeholder consultation process from excellent to poor.

Draw on input from stakeholder engagement, including human rights experts, trade unions and affected groups themselves. For example, invite affected groups (e.g. through anonymised questionnaires) to assess whether the human rights systems designed to mitigate adverse impacts are effective and user-friendly.

Some events have found it helpful to undertake joint-inspections of key operations with regulators or trade unions, e.g. to assess safety at venues and infrastructure sites, to carry out worker interviews to gauge if systems are working and address problems early.

Prioritize the performance tracking on identified salient impacts. This aids continuous learning and keeps external stakeholders informed about how the event is performing on its high-risk areas, in particular regarding vulnerable and marginalized groups. (e.g. numbers of persons with disabilities experiencing workplace discrimination, numbers of child safeguarding incidents reported).

Disaggregate data where possible, e.g. to discern patterns of discrimination based on more than one characteristic, e.g. LGBTQ women, children from ethnic minorities.

Align tracking and monitoring where possible with other systems or tools e.g. health and safety incidents, performance contracts and reviews, surveys and audits.

Identify key trends and patterns in your events human rights performance for example by types of human rights impact, e.g. recurrent health and safety problems, repeated incidents of migrant worker exploitation, frequency of discrimination complaints lodged by a particular ethnic group to the remedy channel(s)

Gather information from operational-level grievance or complaint mechanisms e.g. number of complaints raised to procurement, to identify recurring patterns

## **D14 Non conformities and corrective actions [ISO 20121 10.1]**

### **The following changes to ISO 20121 would reflect human rights considerations:**

Even if the event has robust prevention and mitigation systems things can go wrong.

Individual errors, unforeseen risks or partner failures to meet requirements can result in the event 'causing', 'contributing to' or being 'directly linked' to human rights harms.

The UNGPs expect enterprises to provide for, or co-operate in, effective remedy in cases where they 'cause' or 'contribute to' human rights harms, including through operational-level grievance mechanisms (e.g. complaint system) set up by the event or in collaboration with others. [Note: this expectation does not exist where there is 'direct linkage' to the harm via a business relationship, which is the responsibility of the third party itself. The event though should use leverage to prevent the harm continuing or reduce the chance of it recurring}.

The provision of access to effective remedy is important because it:

- Enables the event to demonstrate its respect for human rights and a willingness to be held accountable if or when things go wrong
- It puts the event in a position to respond quickly to human rights harms and prevent them from escalating or the damage becoming irreversible, and
- Offers a feedback-loop to strengthen policies and processes, supporting continuous improvement.

By providing, or contributing to, access for victims to a remedy process (e.g. a complaints handling or grievance mechanism) the event may be able to put in place corrective action for non-conformities and other oversights, prevent recurrence and ensure its processes within ISO 20121 reflect human rights considerations.

### What is remedy?

Remedy is about making good a harm. It takes many forms ranging from apologies, guarantees of non-repetition, restitution to the condition prior to the harm (e.g. being reinstated after unfair dismissal for union membership), compensation (financial and other) and rehabilitation, to legal or other sanctions e.g. fines or criminal charges.

Some event-related human rights harms are relatively simple to remedy e.g. if a worker has been discriminated against or dismissed this might involve an apology, reinstatement and/or compensation. Others impacts are far harder to remedy, e.g. life-changing workplace injuries or fatalities. Some may require recourse to legal forms of remedy, e.g. criminal or civil proceedings.

Governments have a duty to provide access to remedy e.g. through courts, tribunals, arbitration and other means (e.g. mediation) for human rights abuses in their jurisdictions. This would include in relation to events. In practice State/Government-run systems can be imperfect, bureaucratic, slow, poorly resourced, impeded by corruption, entail cost barriers or be unavailable to certain groups e.g. migrant workers or indigenous people are sometimes denied the same legal protections as wider populations. Not all adverse human rights impacts rise to the level of criminal or civil cases or public investigations, and many harms can be remedied at the operational level and/or through mediation.

### Putting remedy into practice

Access to effective remedy is an evolving area. States do not always meet their obligations, and businesses are often working through how operational grievance mechanisms can be effective. Events should take a collaborative and open approach to remedy, working with government, commercial partners, human rights experts and others to ensure access to effective remedy is available for victims of human rights harms e.g. they can

pilot new approaches. Good outcomes may be achieved via a smart mix of Government and privately run operational-level mechanisms.

a) Build event culture to see complaints and remedy positively

Learn to see complaints and remedy positively and not something to be feared. Complaints can strengthen human rights systems by highlighting any flaws in the events processes. Complaints allow concerns to be raised, fixed and lessons learnt quickly and can prevent recurrence or stop harm escalating/worsening. Well-handled complaint systems reinforce the events interested party engagement and build trust.

b) Identify adverse human rights impacts that require remedy – distinguishing between systemic violations (e.g. several cases caused by the same stakeholder) and individual cases.

Learn of human rights harms via:

- The event's complaints or grievance mechanisms (e.g. hotlines, complaint channels).
- Regular and ongoing engagement with interested parties and affected groups
- On-ground tracking and monitoring systems
- Media reports and
- Academic and other studies.

c) Map available remedy processes and assess their legitimacy

Use, co-operate with, or if appropriate adapt existing processes to remedy event related human rights harms. The event should map all available:

- Internal systems may include governance avenues e.g. ethics and compliance, whistleblower and anti-corruption channels, or other human rights-related systems e.g. dealing with accessibility, safeguarding or workplace health and safety.
- External systems may include Government or privately run systems in the event geography, internationally or within a related industry. Ascertain if they could play a role in remediating any harms arising from event preparation, delivery and legacy.

The event may be able to co-operate with several different remedy processes depending on the nature of the impacts, e.g. on human trafficking it may work with national Modern Anti-Slavery Ombudspersons/Commissioners, whereas event workforce issues may be handled via industrial relations processes e.g. via conciliation and arbitration.

To be viable, remedy processes need to be regarded as legitimate, credible and trustworthy by the people expected to use them. [Process steps in development for measuring how to assess this]. The event should seek advice from human rights experts and interested parties. Legitimate external remedy channels could include :

- Courts, worker tribunals or arbitration mechanisms
- Independent National Human Rights Institutions - which conduct investigations, handle complaints and mediate disputes<sup>1</sup>
- Ombudspersons/Commissions that oversee particular human rights areas e.g. discrimination, the rights of disabled persons, or modern slavery/human trafficking.
- Consumer or environmental protection agencies, regulatory oversight bodies.
- National Contact Points of the OECD Guidelines for Multinational Enterprises.<sup>2</sup>
- Industry Relations Mechanisms

---

<sup>1</sup> National Human Rights Institutions are recognized as being independent and impartial from Government if they have 'A Status' under the Paris Principles.

<sup>2</sup> All OECD countries have a National Contact Point that are expected to handle complaints, including on human rights matters, often via mediation processes.

- Multi-stakeholder or community grievance mechanisms.

d) Conduct outreach to co-operate with legitimate remedy channels

Engage with external, legitimate mechanisms and explore ways in which the event may be able to co-operate on remedy, e.g. via bilateral agreements.

e) Co-operate fully with and do not obstruct judicial, legal or arbitration proceedings

Where an affected group or person chooses to pursue a grievance or dispute through a judicial process, the event should co-operate with legal proceedings fully (while preserving the right to mount an appropriate legal defence). The event should not impede the complainant's access to the courts, judicial procedures or administrative procedures.

Do not make access to operational-level grievance mechanisms conditional on a claimant waiving their right to take out legal proceedings.

v) Set up or collaborate in an operational-level grievance mechanism(s).

In line with the UNGPs the event organiser should set up, or participate in, operational-level grievance mechanism(s). It does not have to set up its own mechanism, it can be administered by partners and/or in collaboration with specialist organisations, and/or with human rights experts and relevant interested parties or affected groups.

The UNGPs prescribe 'Effectiveness Criteria' that operational-level grievance mechanisms should meet, even if they are quite simple ones that reflect the event's size and available resources. They should be:

- *Legitimate* – seen as fair and trustworthy by users, and free from interference
- *Accessible* – available to, and known about by, the intended users, with terms and conditions of use clearly communicated, e.g. associated costs (ideally free or kept to a minimum for users), and its location (ideally in close proximity to expected users). Users should be able to access the mechanism without fear of reprisal. Extra provision may be needed to overcome language, literacy or other barriers to use.
- *Predictable* – there should be clarity on who can access the mechanism, what kinds of complaints it can handle (e.g. minor concerns to gross misconduct), what remedies or outcome can be expected, how complaints will be responded to, the stages a complaint may go through, and expected timelines. Quick and timely remedy is especially important given the time-bound nature of many events.
- *Equitable* – the mechanism cannot overcome power imbalances, but should allow affected people to have equal access to relevant information and advice so they engage on a fair, informed and respectful basis.
- *Transparent* – users should be kept informed on the progress of a complaint and have information on how the mechanism has performed e.g. through publishing statistics, outline case studies and relevant information on how cases are handled. Take steps to respect the confidentiality of users and prevent any risk of intimidation/retaliation
- *Rights-based* – outcomes and remedies should align with international human rights principles. Human rights experts and interested parties can advise.
- *A source of continuous learning* – regular reviews and analysis should be conducted on how the mechanism is functioning (e.g. frequency of use, patterns of grievances), and allow for lessons to be learned and improvements to event policies and processes to prevent recurrence.
- *Based on engagement and dialogue* – take steps to engage interested parties and affected groups in the design and performance of the mechanism, to help ensure it meets the needs of users, is culturally appropriate, and has stakeholder buy-in. The



mechanism should prioritise dialogue as the means of addressing and resolving grievances where possible.

## D14 Terms and definitions [ISO 20121 3]

The following changes to ISO 20121 would reflect human rights considerations:

**Affected person or group** - are individuals or groups of people whose rights may be impacted, positively or negatively, by the event. They are sometimes referred to as human-rights holders.

**Human rights** - are the basic set of inalienable rights and freedoms that belong to every person in the world. Human rights are based on shared values like dignity, fairness, equality, respect and independence, and are rooted in all the major cultures and religion of the world. Human rights are set in the Universal Declaration of Human Rights (1948) and defined and protected through international and national laws. They apply to all people of all ages and can never be taken away, although they can sometimes be restricted (e.g. if a person breaks the law, in interests of national security). Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination.

**Child rights** – are a subset of human rights that apply to people under-18 years of age as set out in the most widely ratified UN human rights treaty, the *UN Convention on the Rights of the Child*. The four core principles are non-discrimination, devotion to the best interests of the child, children’s right to life, survival and development, and respect for the views of the child and their right to participate in matters affecting them.

**Human rights-holder** – any person who holds human rights. Note: professionals and campaigners who work in the human rights field may use the term ‘rights-holder’ for short, in the human rights context they do not mean a holder of commercial rights.

**Harm** – a violation / abuse of a person’s human rights, or a negative human rights impact.

**Risk** – in a human rights context, risk pertains to the effect of uncertainly impacting upon people’s human rights, and relates to risks to people **not** to the business / event’s finances or reputation or other outcomes.

**Impact** - a human rights impact is a positive or negative change affecting one or more person’s human rights, wholly or partially resulting from past, or present decisions and activities. Potential human rights impacts relate to the likely affects of anticipated future decisions and activities.

**Human Rights Due Diligence** – process of understanding, preventing, mitigating, and addressing human rights impacts on people, tracking and communicating on performance. The umbrella term of human rights due diligence is sometimes also understood to include the policy commitment and the provision of access to effective remedy.

**Cause** – directly causing an adverse human rights impact through both actions and omissions

**Contribute to** – contributing to an adverse human rights impact by a third party through actions or omissions that they should have know might have negative consequences – e.g. changing merchandise deadlines that lead to suppliers cutting corners.

**Direct Linkage** – linkage to an adverse human rights impact through the products/services of a business relationship without the event organisers knowledge, but from which they benefit or are seen to benefit.

**Saliency** – the most severe human rights impacts determined by scale, scope and remediability.



**Remedy** – making good on a harm. Remedy takes many forms ranging from apologies, guarantees of non-repetition, restitution to the condition prior to the harm (e.g. being reinstated after unfair dismissal for union membership), compensation (financial and other) and rehabilitation, to legal or other sanctions e.g. fines or criminal charges.

**Grievance Mechanism** – the means by which the victim of a human rights abuse can lodge or report a complaint and access remedy.

**Labour rights** - are a subset of human rights and are codified in Conventions and Recommendations of the International Labour Organisation (ILO), a tripartite UN body made up of governments, employers and worker representatives. The *ILO Declaration on Fundamental Principles and Rights at Work* (1998) commits all member States to respect at a minimum four categories of rights: non-discrimination, the elimination of child and forced labour, freedom of association and collective bargaining

## **D15 Bibliography [ISO 20121]**

**The following changes to ISO 20121 would reflect human rights considerations:**

### **International Human Rights Instruments/Standards**

Universal Declaration of Human Rights (UDHR)

International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

International Covenant on Civil and Political Rights (ICCPR)

International Covenant on Economic, Social and Cultural Rights (ICESCR)

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

Conventions against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)

Convention on the Rights of the Child (CRC)

International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW)

International Convention for the Protection of All Persons from Enforced Disappearance (CED)

Convention on the Rights of Persons with Disabilities (CRPD)

ILO Declaration of Fundamental Principles and the Rights at Work

ILO Tripartite Declaration on Multinational Enterprises

OECD Guidelines on Multinational Enterprises

UN Guiding Principles on Business and Human Rights

### **Regional Human Rights Standards**

African Charter on Human and People's Rights

American Convention on Human Rights

ASEAN Human Rights Declaration

European Convention on Human Rights

### **Country Legal and Regulatory Frameworks**

Australian Modern Slavery Act

Dutch Child Labour Due Diligence Law

French Corporate Duty of Vigilance Law

EU Conflict Minerals Regulation

UK Modern Slavery Act

US Tariff Act of 1930

US Federal Acquisition Regulations (on human trafficking and forced labour)

US Dodd-Frank Act 1502 (Conflict Minerals)

California Transparency in Supply Chains Act

**Other relevant initiatives, principles, codes or guidance**

The Children's Rights and Business Principles

Ethical Trading Initiative (ETI) Base Code

Fair Labour Association (FLA) Workplace Code of Conduct

International Safeguards for Children in Sport

OECD Due Diligence Guidance for Responsible Business Conduct

Sporting Chance Principles

Standards of Business Conduct on Tackling Discrimination against LGBTI people

UN Guiding Principles Reporting Framework

Women's Empowerment Principles

World Federation Sport Goods Industry Code of Conduct

World Players Association Declaration on Safeguarding the Rights of Child Athletes

World Players Association Universal Declaration of Player's Rights

UN Sustainable Development Goals

Consultation Draft