

**RESPONSE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
TO THE OPEN CALL FOR INPUT REGARDING THE REPORT BY THE WORKING GROUP ON
HUMAN RIGHTS AND TRANSNATIONAL CORPORATIONS AND OTHER BUSINESS ENTITIES
ON THE GENDER LENS TO THE UN GUIDING PRINCIPLES
ON BUSINESS AND HUMAN RIGHTS**

The United Nations Human Rights Council resolution 17/4 agreed to integrate a gender perspective throughout the work on the issue of human rights and transnational corporations and other business enterprises. Women experience business-related human rights abuses in unique ways and are often affected disproportionately. They also face multiple forms of discrimination and experience additional barriers in seeking access to effective remedies for business-related human rights abuses.

- 1. In what ways do women experience the impact of business-related human rights abuses differently and disproportionately? Please provide concrete examples in the context of both generic and sector- or region-specific experiences of women.**

The International Labour Organisation's (ILO) report on forced labour, modern slavery and human trafficking shows that globally the number of female victims of modern slavery is higher than the number of male victims. There is also evidence that women make up a very significant proportion of victims in the accommodation and food service industry¹ which, along with construction, agriculture and fishing and manufacturing, is one of the key high risk industries.

- 2. Please share any good practices on how to deal with increased marginalisation or vulnerabilities faced by women due to intersectionality, feminisation of work, informal economy, and conflicts.**

The UK Government is empowering women in work to achieve gender equality, through initiatives such as new regulations that require organisations with more than 250 employees to publish the difference between the average earnings of male and female employees.² In addition, the Government has set aside £5 million to mark the centenary of voting rights for women, and to increase female political representation.

The Government is also challenging the notion of “boys’ and girls’ subjects” in education, by funding programmes in schools and colleges to encourage more girls to consider careers in science, technology, engineering and maths. The Government has delivered a wide-ranging work programme on body image over the last six years. This has included close work with the

¹ www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_575479.pdf

² <https://www.gov.uk/guidance/gender-pay-gap-reporting-overview>.

advertising industry to develop young people's ability to evaluate the images and messages that they encounter in the media.

In the UK we are working to change social expectations around childcare responsibilities, by enabling working parents to share parental leave and pay. In February, the Government Equalities Office and the Department for Business, Energy and Industrial Strategy launched a joint £1.5m campaign to promote shared parental leave, which encourages parents to 'Share the Joy'. There is also an additional £5 million devoted to increasing opportunities and supporting people to return to paid work after taking time out for caring responsibilities.

The UK Government is also a global leader in tackling violence internationally against women and girls in all its forms. The Preventing Sexual Violence in Conflict Initiative (PSVI) was launched in May 2012 by then-Foreign Secretary, Lord Hague, and the UNHCR Special Envoy, Angelina Jolie. PSVI aims to raise awareness and rally global action, support survivors, prevent occurrence, address the culture of impunities and secure justice. In June 2017, the Right Honourable Lord Ahmad of Wimbledon was appointed the Prime Minister's Special Representative on Preventing Sexual Violence in Conflict. The UK has trained over 17,000 military and police internationally on sexual violence issues. The UK has committed £44m in funding to date and supported over 70 PSVI projects working with human rights defenders and NGOs.

3. How to address sexual harassment and sexual or physical violence suffered by women in the business-related context, including at the workplace, in supply chains and in surrounding communities? Please share any good practices which have proved to be effective in dealing with sexual harassment and violence against women.

The UK has robust legislation (including the Equality Act 2010³ and the Preventing and the Combating Violence Against Women and Domestic Violence (Ratification of Convention) Act 2017⁴) to address discrimination, harassment and violence including that suffered by women. Any form of violence or abuse is absolutely unacceptable. Preventing this, and supporting victims, is a key priority for the Government: an additional £20 million was committed in the last Budget to support victims of domestic violence and abuse, bringing total dedicated funding to £100 million. Additionally, legislation, such as that enforced by the Gangmasters and Labour Abuse Authority and the Employment Agency Standards Inspectorate, exists to protect vulnerable workers.

The ILO's report indicated that women constitute the majority of victims of modern slavery, including forced and child labour, and domestic servitude. The UK is a world-leader in combating modern slavery in supply chains as the first country in the world to introduce mandatory transparency reporting on supply chain modern slavery risks.

³ <http://www.legislation.gov.uk/ukpga/2010/15/contents>.

⁴ https://www.familylaw.co.uk/system/froala_assets/documents/1592/ukpga_20170018_en.pdf.

4. Which State laws and policies or social, cultural and religious norms continue to impede women's integration into economic activities and public life generally?

The UK has robust legislation to address inequality throughout society, including in the workplace. The Equality Act 2010 states that people cannot be discriminated against because they are (or are not) of a particular sex. The UK is an international leader on women's empowerment and played an instrumental role in influencing global agreement for Sustainable Development Goal 5 'to achieve gender equality and empower all women and girls'.

5. Are there any good practices of integrating a gender perspective into States' economic sphere (e.g., state-owned enterprises, public procurement agencies, trade missions, export credit agencies, privatisation of public services, public-private partnerships, and trade and investment agreements)?

The UK is one of the best places in Europe to be a female entrepreneur: there are 1.2 million women-led small and medium-sized businesses in the UK, which contribute an estimated £115 billion to the economy. The gender pay gap is the lowest it has ever been, and we are committed to eliminating it entirely: the UK is one of the first countries in the world to introduce gender pay gap reporting.

6. How could policy coherence be improved between different government ministries or departments dealing with women issues and business-related matters?

In the UK, there are strong relationships between Ministries at both Ministerial and official levels. Inter-Ministerial groups and cross-government official working groups provide the vehicles for policy exchange and dialogue on cross-cutting issues. The UK Government Equalities Office (GEO) leads on policy relating to women, sexual orientation and transgender equality. The GEO works with the Department for International Development to support the implementation of international equality measures in the UK. The GEO also supports gender strategies across government, such as increasing female participation in the labour market, and preventing violence against women and girls.

7. What is the extent to which businesses currently apply a gender lens in conducting human rights due diligence, including social or environmental impact assessment?

UK companies are becoming increasingly proactive in their approach to human rights, through developing their own corporate social responsibility codes of conduct and engaging in environmental or social impact assessments. There is no legal requirement for companies to produce a human rights report. However over half of the FTSE 100 companies have adopted a human rights policy statement. A good human rights record for companies will mean increasing worker productivity and retention, good community relationships, risk management, brand differentiation, new customers and markets. We also encourage companies to join industry initiatives and multi-stakeholder initiatives such as the Ethical Trading Initiative and the Extractive Industries Transparency Initiative to develop their

stakeholder engagement practices and use stakeholder panels at operational, senior management or board levels to get external perspectives on their environmental and social impacts.

8. Are there any good practices of business enterprises adopting a gender perspective in making human rights policy commitments, addressing the gender wage gap and under-representation of women in boards and senior positions, or involving affected women in meaningful consultations and remediation processes?

The UK Government is empowering women in work to achieve gender equality, through the new gender pay gap regulations initiative. The UK's Hampton-Alexander review has seen Government offices work with businesses to set realistic but ambitious targets for the number of women on boards and in senior leadership positions (33% by 2020). The FTSE 100 are on track to meet their target for women on boards, but more effort is needed for the targets to be met at the level of senior executives and their direct reports, particularly for the FTSE 250.

We do not underestimate the size of this task. The Government will continue to work with business to ensure they can rise to this challenge.

9. What is the role of businesses in dealing with domestic laws, policies and societal practices which are discriminatory to women?

Business supports Government in helping to build the business case for equality. This is done through working closely with businesses to develop legislation that promotes innovation, generates jobs, develops the right skills to boost productivity, and maximises the positive social impacts of gender equality and the lack of discrimination.

10. How could media and advertising industries fight against gender stereotyping and disempowerment of women?

The Advertising Standards Authority proactively published a report on 'depictions, perceptions and harm in advertising' (<https://www.asa.org.uk/genderresearch.html>). The Committees of Advertising Practice (CAP) and Broadcast Committee of Advertising Practice (BCAP) subsequently consulted on a new rule and supporting guidance to proscribe adverts from depicting harmful or offensive gender stereotypes, including stereotypical gender roles and characteristics. In parallel with this regulatory action, the industry is developing initiatives to include positive and diverse gender portrayal in adverts. The Government has committed to take forward work to tackle harmful gender stereotypes in advertising in collaboration with the industry to ensure that the action we take complements their existing initiatives.

11. What additional or specific barriers do women (women human rights defenders) face in accessing effective remedies for business-related human rights abuses?

Women Human Rights Defenders often suffer forms of gender-based violence in addition to the attacks that other human rights defenders might face, including sexual violence, threats, harassment and defamation campaigns linked to their gender. Those who challenge gender stereotypes and who work on issues like sexual and reproductive health and rights, or defend more widely the human rights of women and girls, are often especially vulnerable to gender-based attacks and threats.

12. How could all types of remedial mechanisms, processes and outcomes be made more gender-sensitive?

It can be made more sensitive through effective gender mainstreaming that ensures remedial interventions respond to the specific needs of women and men.

13. How to overcome power imbalances and discriminatory practices that might undermine the effectiveness of remedies obtained by women?

This could be improved through increased access and delivery of training for staff in advisory and remedial bodies (the UK examples being the Advisory Conciliation and Arbitration Service and Equality and Advisory Support Service). Under the Legal Aid, Sentencing and Punishment of Offenders Act 2012,⁵ the UK has specifically protected legal aid (both for initial advice and ongoing representation), subject to statutory means and merits tests, for civil legal services provided in relation to alleged contraventions of the Equality Act 2010.⁶ Publicly funded advice continues to be available for discrimination claims before the Employment Tribunal, and publicly funded advice and representation in the Employment Appeals Tribunal.

In 2011, the Government introduced 'Think, Act, Report':⁷ a voluntary initiative to help improve gender equality in the workforce. It provides a simple step-by-step framework to help companies think about gender equality in their workforces, particularly in relation to recruitment, retention, promotion and pay. Hundreds of companies and thousands of employees have signed up.

14. Please provide any additional comments, suggestions or information which you think may be relevant for the Working Group's forthcoming report on the gender lens to the UNGPs.

The UK Government has no further observations to add.

25 October 2018

⁵ <http://www.legislation.gov.uk/ukpga/2012/10/contents>.

⁶ Ibid, Schedule 1, paragraph 43.

⁷ <https://www.gov.uk/government/publications/think-act-report/think-act-report>.