

**IGWG 7<sup>th</sup> Session - Global Union Comments:**

**Article 4**

Thank you, Chairperson. I speak on behalf of the global trade union organisations: ITUC, BWI, EI, IndustriAll, ITF, IUF, PSI, and UNI.

I have a comment on Article 4.2(c).

Article 4.2(c)

c. be guaranteed the right to fair, adequate, effective, prompt, non-discriminatory, appropriate and gender-sensitive access to justice, individual or collective reparation and effective remedy in accordance with this (Legally Binding Instrument) and international law, such as restitution, compensation, **reinstatement in employment, apology**, rehabilitation, reparation, satisfaction, guarantees of non-repetition, injunction, environmental remediation, and ecological restoration;

We believe that the non-exhaustive list of remedies contained in this Article should include **apologies (both public and private)** and, most importantly for us, **reinstatement in employment**.

Chair,

A significant challenge for workers exercising their right to freedom of association is the fear of discriminatory dismissal. In such cases, the remedy must be reinstatement, given that compensation alone may continue to contribute to an atmosphere of intimidation in the workplace.

Therefore, our recommendation is to include the terms *reinstatement in employment and apology* after the term *compensation* in the list as it stands now.