

Guidance to Plan Events with consideration for Human and Child Rights and Safeguarding

[Document 2 – Proposed Annex D Guidance to ISO 20121]

This document has been written as guidance on how to consider Human and Child Rights and Safeguarding in the delivery of an event. The guidance fully aligns with the ISO 20121 Event Sustainability Management System. For this reason, there is clear reference to ISO 20121 throughout the document.

How to read this document:

The “Introduction” familiarises the reader with the concepts of human and child rights and safeguarding. This section seeks to explain how human rights, child rights and safeguarding are inter-related but distinct. It also introduces some key international frameworks that are relevant for organisations when considering these areas.

Following the “Introduction”, the “Guidance Section” takes the reader through each stage of planning an event (following the ISO 20121 process) and provides guidance for each stage.

When reading this Guidance the references to “human rights” should be taken to also include “child rights” unless otherwise stated, for example where specific guidance is needed that is relevant only to children’s rights or to address the particular vulnerabilities or needs of children.

“Safeguarding” sits under the umbrella of human rights but has some distinct elements and, where this is the case, the guidance explains the specific safeguarding steps separately from the broader human rights approach.

Additional education and resources can be found at www.positiveimpactevents/tbclink

Introduction

A. i) What are human and child rights?

Human rights are the basic rights and freedoms to which, without exception, all human beings are entitled from birth, without discrimination. They are the ground-rules for treating people with dignity, respect, equality, and fairness. Human rights are rooted in all the world's cultures and religions, but transcend both.

The primacy of human rights has been underscored by the international community in the International Bill of Human Rights (comprising the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights; these UN Covenants have been ratified by over 150 countries). The International Bill of Rights is supplemented by a further set of core human rights treaties that emerged after World War 2 (see Bibliography). The most widely ratified of these treaties is the UN Convention on the Rights of the Child, which contains the human rights that apply to people under-18 years of age. Workers' rights are further protected by the core conventions of the International Labour Organization (ILO) (which cover child labour, forced labour, non-discrimination and freedom of association and collective bargaining) and to which all 187 members countries have committed via the ILO Declaration of Fundamental Principles and Rights at Work. All human rights are interrelated, interdependent and indivisible and many are ratified by governments and thus embedded in national laws.

Human rights range from rights and freedoms like the right to life, freedom of expression and the right to fair trial, to the right to education, the right to health and the right to an adequate standard of living. Many human rights will already be familiar to event organisers and people in business, such as freedom from discrimination, the right to decent working conditions, freedom from slavery and torture, the right to privacy, and the right to rest and leisure. Organisations can have impact on virtually every right.

Human rights includes several subsets, including children's 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), as well as the rights of other groups, including women, minorities, indigenous peoples, and migrant workers (see Bibliography).

Child rights belong to every person under 18. The UN Convention on the Rights of the Child recognises the human rights of children and lays out the specific rights that apply only to children, as well as what governments must do to make sure all children can en-

joy their rights. Children have the right to be treated with dignity and fairness, to be protected, to develop to their full potential and to participate. Four general principles underpin child rights: non-discrimination, the best interests of the child, the right to survival and development, and the right to be heard.

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 underpin 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 realised.

A. ii) What is an organisation's "responsibility to respect" human rights?

Most human rights laws relate to relationships between the state and individuals, but it is widely acknowledged that non-state organisations (e.g. businesses, social enterprises, and others) can also affect individuals' human rights. States (often understood as countries or national governments) have a duty to protect and fulfil people's human rights. Organisations (specifically any commercial enterprise) have a responsibility to respect people's human rights or to "do no harm".

Human rights good practice in relation to events should be guided by the UN Guiding Principles on Business and Human Rights ("UN Guiding Principles" or "UNGPs"). This is an international standard that was endorsed by the UN Human Rights Council in 2011 and it is increasingly being embedded within national and regional laws. The UN Guiding Principles address the:

- "State duty to protect" human rights,
- "Corporate responsibility to respect" human rights (or "do no harm"), and the need for
- "Access to effective remedy" for victims if things go wrong.

The "corporate responsibility to respect" is a global standard of expected conduct and applies to all enterprises operating commercially, irrespective of size or geography. This responsibility exists independently of any State's abilities and/or willingness to fulfil its own human rights obligations.

Organisations have a baseline "responsibility to respect" human rights – that means they need to avoid infringing people's human rights and act to address any human rights impacts with which they are involved. This is about core business conduct, and not about voluntary activities that go beyond this, however welcome they may be. There is no human rights equivalent to carbon off-setting – so any failure to respect human

rights in one area cannot be cancelled out by a benefit provided in another. This means “do no harm” is essential, whereas promoting or helping realise people’s human rights is only optional. The extent of each organisation’s response to human rights issues will reflect its size and the resources it has available.

The UNGPs outline the policies and processes organisations need to put in place to demonstrate that they meet the “corporate responsibility to respect” human rights. It consists of three core elements:

- A policy commitment to meet the responsibility to respect human rights.
- A “human rights due diligence” process to assess actual and potential human rights impacts, to integrate and act on the findings, to track responses, and to communicate how impacts are addressed.
- A process to enable people who have been harmed to access effective remedy for any harm the organisation has caused or contributed to – i.e. “making good a harm” or restoring a former condition prior to the harm, where that is still possible.

The main focus of human rights due diligence is to prevent and mitigate impacts on people: it is not about business risk *per se*, although risks to people and risks to an organisation’s finances or reputation often coincide in practice.

Organisations should pay special attention to the particular human rights impacts on people from groups or populations that may be at heightened risk of vulnerability or marginalisation. This means recognising the specific challenges faced, for example, by children, indigenous peoples, migrant workers, and their families, national or ethnic minorities, religious and linguistic minorities, persons with disabilities, and women.

B. i) What is safeguarding?

“Safeguarding” refers to the actions taken to prevent or respond to violence, harassment, maltreatment, abuse, and neglect, particularly for children and adults at risk.

Safeguarding encompasses the prevention of physical, sexual, and emotional abuse, neglect and maltreatment of children and adults at risk by employees and other persons, including contractors, business partners, volunteers, and visitors.

Safeguarding is an essential process that falls under the umbrella of respecting human and child rights. Safeguarding specifically addresses poor practice that does not always rise to the level of a rights violation. In addressing poor practice, the aim is to prevent an escalation that could lead to harm in future. As safeguarding processes are sometimes different from wider human rights processes, this Guidance references safeguarding measures separately at various points in the document.

B. ii) What are organisations' safeguarding responsibilities?

Safeguarding focuses specifically on the area of preventing physical, sexual, and emotional abuse, neglect and maltreatment of children and adults at risk, and responding when concerns arise. All organisations have a duty of care towards the children and adults at risk that come into contact with their activities. This means they have a duty to identify and manage safeguarding risks, as well as to respond effectively where concerns arise. Poor practice by staff, volunteers, or others may not always reach the level of a human rights violation, but effective safeguarding approaches recognise that poor practice can be the gateway to more serious issues, and so responses are needed even for minor concerns.

Guidance

The Guidance section takes the reader through each stage of planning an event, following the ISO 20121 process, and provides guidance for each stage.

You will find reference to the corresponding sections of the ISO standard in blue at the start of each section of the guidance.

Terms and Definitions (ISO 20121: 3)

The terms and definitions detailed below are important to understand, in order to consider human and child rights and safeguarding when planning an event:

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

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

Child rights – are a subset of human rights that apply to people under-18 years of age and are set out in the most widely ratified UN human rights treaty, the UN Convention on the Rights of the Child (CRC). The four general principles of the CRC are non-discrimination, primary consideration of the best interests of the child, children’s right to life, survival and development, and children’s right to express their views and have them taken seriously in accordance with the age and maturity of the child and their right to participate in matters affecting them.

Contribute to – contributing to an adverse human rights impact by a third party through actions or omissions that they should have known 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 organiser’s knowledge, but from which they benefit or are seen to benefit.

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

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

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 reli-

gions of the world. Human rights are set out 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.

Human rights-holder – any person who holds human rights. All human beings are rights-holders under the Universal Declaration of 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, this does not mean a holder of commercial rights.

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 used as shorthand to also include the policy commitment and the provision of access to effective remedy.

Impact – A human rights impact can be 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 effects of anticipated future decisions and activities.

Labour rights - are a subset of human rights and are codified in Conventions and Recommendations of the International Labour Organization (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.

Mitigation - refers to actions taken to reduce the extent of adverse human rights impacts, with any residual impact then requiring remediation. The mitigation of human rights risks refers to actions taken to reduce the likelihood of a certain adverse impact occurring.

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).

Risk – a potential adverse human rights or safeguarding impact. It relates to risks to people, **not** to the business/event’s finances or reputation or other outcomes.

Safeguarding - the actions taken to prevent or respond to violence, harassment, maltreatment, abuse, and neglect, particularly for children and adults at risk.

Salient human rights issues – the human rights that are at risk of the most severe negative impact through an organisation’s activities or business relationships, and thus

the issues that are to be the primary focus of an organisation's efforts. The salient human rights issues will vary by organisation and context.

Severe human rights impact – a negative human rights impact that is severe by virtue of one or more of the following characteristics: scale (e.g. human rights impact that is grave); scope (e.g. large numbers of people are impacted); and remediability (e.g. there are limits on the ability to restore the situation before a harm took place).

UN Guiding Principles – The UN Guiding Principles (UNGPs) were endorsed by the United Nations Human Rights Council in 2011 and apply to all States and business enterprises. The UNGPs exist as guidance to prevent and address human rights abuses committed in the context of business operations. They are split into three pillars: the State duty to protect human rights; the corporate responsibility to respect human rights; and access to remedy.

Context [ISO 20121 4.1]

Organisations should consider the human rights context relevant to their operations. As an example, this should include the event host country (countries) and any high-risk countries in the event supply chain. Considering the human rights context is important because it can have knock-on implications for people, the organisation, and the event.

Organisations will need to identify human rights protection gaps in national laws and law enforcement and gaps in access to justice and should assess how deep these gaps go and if activities linked to the event might exacerbate the gaps. Organisations could call on lawyers, human / child rights experts or consultants for advice if needed. This could be on a pro-bono basis.

Human rights protections in law include child protection laws, health and safety regulations, diversity and equal opportunities requirements, accessibility, safeguarding and modern/anti-slavery requirements. Gaps in law enforcement and access to justice may include failures to protect children or denial of access to justice to minorities.
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The organisation's human rights responsibilities go beyond compliance with national laws and regulations protecting human rights. This is because an organisation's "responsibility to respect" human rights exists independently of whether the host government is able and/or willing to fulfil its own human rights obligations,

If domestic laws and law enforcement do not meet international standards or make it difficult for the organisation to fully meet their human rights responsibilities (for example, some governments do not protect union rights in line with international standards), or-

organisations should respect the principles of international human rights to the greatest extent possible and demonstrate their effort to do this.

Organisations should review the human rights context periodically as situations may change that alter the human rights protection gaps in law and in practice.

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

To consider human rights and safeguarding, organisations will need to assess which people may be “affected” or “impacted” by the event’s activities. This should include those adults at risk or children who come into contact with the event’s activities, as well as those impacted by the goods / services directly linked to the event.

Why is engagement with interested parties important?

Engagement with interested parties (also known as stakeholder engagement) is a key feature of both the human rights due diligence and the safeguarding process.

Engaging with interested parties can help:

- Build trust with stakeholders, including those from at-risk/marginalised groups.
- Identify the presence and nature of any potential/actual human rights impacts on people and any safeguarding risks.
- Gauge how serious or widespread the human rights impacts are or how serious the safeguarding risks posed by the event might be, and so help with issue identification and evaluation.
- Support efforts to address risks, opportunities, and non-conformities so the organisation is ready to remedy (put things right) if/when things go wrong.

Note: Engagement also helps capture the views of stakeholders or interested parties that might otherwise be overlooked. If the event organiser only interacts with interested parties already known to them, the process risks being undermined by only gathering feedback that reinforces existing assumptions. Extending the field of stakeholders to include those groups we reference in this guidance will better equip the organisation to identify problems before they arise or address problems before they get worse.

How and Who to engage:

The process for engaging interested parties should include consultation with:

- a. internal stakeholders (e.g. management, event owner, event organiser, staff, and employees), and
- b. external stakeholders (e.g. civil society, communities, regulatory bodies, partners, sponsors, founders, and investors).

The external stakeholder engagement, in particular, should include ongoing and meaningful consultation and dialogue with:

- Human and child rights and safeguarding experts [Note: these do not always have human rights or safeguarding in their name, e.g. trade unions] (See Table 1) and
- Affected groups/individuals, including those from at-risk or marginalised sections of society and those who may be At-Risk of Safeguarding-related Harm [See Table 2].

In human rights circles, people who are impacted by business activities are often referred to as “affected groups” or more technically as “rights-holders”, which means the holders of human rights, whereas States are referred to as “duty-bearers”.
[Note: this has nothing to do with commercial rights].

Table 1 – Human Rights and Safeguarding Experts include:

- National Human Rights Institutions, Commissions or Ombudspersons
- National Children’s Commissions
- International / Regional Human Rights Bodies
- Human / Child Rights Non-Governmental Organisations (NGOs)
- Child Protection Agencies
- Child Protection Non-Governmental Organisations (NGOs)
- Trade Unions
- Grassroot and Community-based organisations
- Academics specialising in human/child rights or safeguarding

Table 2 – List of Affected groups and those At Risk of Safeguarding-related Harm (Note: this list is indicative)

Affected Group	Description	Potential impacts (<u>not</u> exhaustive)
Athletes / participants / performers	People who take part in the content of and/or are the focus of the event.	e.g. media intrusion, lack of privacy.
Adults at risk	People who may be in need of help because they have care and support needs. They may be unable to stop someone else from harming or exploiting them.	e.g. more vulnerable to exploitation such as physical abuse.
Children	Any person under the age of 18.	e.g. vulnerable to abuse, child labour.
Community / local community / local residents	People residing near the location of the event, including adults and children who live on the streets, refugees, and undocumented migrants.	e.g. forced evictions due to venue construction.
Employees / workforce / staff / workers	Persons who work in a paid capacity for or on the event, including in the supply chain.	e.g. prevention from joining workers' unions.
Fans / spectators / visitors / attendees / supporters	People who take part in the event for the purpose of receiving services or contents.	e.g. spectator violence.
Human rights defenders	Persons who, individually or with others, act to promote or protect human rights.	e.g. enforced censorship during event time to prevent individuals from exposing government/ event organiser's poor human rights practices.

Indigenous / Aboriginal / First Nation / Native Peoples	The living descendants of pre-colonial or pre-settler inhabitants, who inherit and practice culturally distinct ways of relating to people, the land, and natural resources, and retain social, cultural, economic, and political characteristics (including languages and beliefs) distinct from the dominant group in society.	e.g. forced eviction/displacement in order to develop land for event hosting.
LGBTI people	LGBTI stands for lesbian, gay, bisexual, transgender, and intersex. It is commonly used to refer to people who are attracted to people of the same gender, people with gender identities that differ from the sex assigned to them at birth, people with nonbinary identities and people whose sex characteristics do not fit typical definitions of female or male.	e.g. discrimination on basis of sexual orientation.
Local business / vendors	This includes small to medium enterprises.	e.g. forced eviction to make room for event sponsors/venues.
Media / journalists / reporters	This includes individuals working for print, broadcast and digital news or media outlets.	e.g. barriers to reporting around event.
Minorities – ethnic / racial / religious	A group numerically inferior to the rest of the population of a State, in a non-dominant position, whose members possess ethnic, religious, or linguistic characteristics differing from those of the rest of the population.	e.g. discrimination on the basis of race.
Migrant worker	A person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which they are not a national. This includes documented and undocumented workers.	e.g. more vulnerable to being exploited through forced labour.

Persons living in poverty or in sheltered accommodation or an equivalent	Individuals struggling to fulfil their most basic needs, such as health, education, and access to water and sanitation.	e.g. reduced access to services due to redirection of resources to event.
Persons with disabilities	This includes those who have long-term physical, mental, intellectual, or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.	e.g. lack of accessible facilities (for example, bathrooms or changing areas) at venue.
Refugees	Individuals who are unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.	e.g. reduced access to services due to redirection of government funding to hosting event.
Street-connected adults or children	Adults and children who are experiencing homelessness or living on the streets or in shelters.	e.g. arbitrary detention during street clearances.
Women at risk	The definition of being 'at-risk' encompasses an array of situations where women's safety or well-being remains threatened on the basis of gender.	e.g. sexual harassment/exploitation by construction workers or security personnel.
Survivors of domestic abuse	Domestic abuse (or 'domestic violence') can be defined as a pattern of behaviour in any relationship that is used to gain or maintain power and control over an intimate partner. Abuse is physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. Anyone can be a victim of domestic abuse, regardless of age, race, gender, sexual orientation, religion, or class.	e.g. increased likelihood of domestic abuse and violence during sporting event.
Volunteers	People who voluntarily work on the event in an unpaid capacity.	e.g. discrimination on basis of religion.

The organisation should act with additional sensitivity and take some additional effort when consulting with “Affected Groups” and those “At-Risk of Safeguarding-related Harm” (“At-Risk”) because these groups are often from at-risk or marginalised sections of society and, as such, are:

- at heightened risk from negative impacts linked to the event or its goods and services, and
- less likely than other stakeholders to come forward to engage in stakeholder engagement processes, often because they are fearful of, or lack trust in organisations seen to be in positions of authority (this might include event organisers).

Organisations can benefit from advice and input from Human Rights and Safeguarding Experts before engaging with Affected/At-Risk groups. The human rights and safeguarding experts should be credible and able to command the trust of Affected or At-Risk groups/individuals. In many cases, these experts have extensive networks within host communities at the grassroots level, and frequently have the skills to serve as intermediaries or to facilitate or mediate stakeholder consultations with at-risk or marginalised sections of society.

Engagement with Affected Groups and those At-Risk of Safeguarding-related Harm should:

- Be transparent and clearly communicated.
- Share sufficient information for different groups to make informed decisions.
- Be framed in terms of dialogue around the risks or 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 who are disabled in different ways (e.g. visual impairments).

Example: The Process for engagement with children

For stakeholder engagement with children, good practice is informed by the “Basic requirements for effective and ethical participation” contained in A Resource Guide on the UN Committee on the Rights of the Child Comment No. 12 on the ‘Right of the Child to be Heard’. Child participation must be:

1. Transparent and informative – Children must be given information about their right to participate in a child friendly and accessible format.
2. Voluntary - Children must be able to choose whether or not they would like to participate and must be informed and able to withdraw from activities at any time.

3. Respectful - Children should be treated with respect and provided with opportunities to express their views freely and to initiate ideas._
4. Relevant - Participation should build on children’s own knowledge and should be focused on issues which are relevant to their lives and the local context.
5. Child-friendly – participation should be facilitated to ensure children are well prepared for their participation and are able to contribute meaningfully to activities, with approaches and methods designed or adapted based on children’s ages and abilities._
6. Inclusive - Children’s participation must provide opportunities for marginalised children to be involved and should challenge existing patterns of discrimination._
7. Supported by training for adults - Staff must have the knowledge and capacity to facilitate meaningful child participation.
8. Safe and sensitive to risk - Adults working with children have a duty of care. Staff must take every precaution to minimise the risks to children of abuse and exploitation and any other negative consequences of participation.
9. Accountable - children must be provided with feedback and/or follow up regarding how their views have been interpreted and used; how they have influenced any outcomes; and where appropriate the opportunity for them to be involved in follow up processes and activities.

Sustainable Development Principles, Statement of Purpose and Values **(ISO 20121 4.5)**

When you define your governing principles of sustainable development, consider “human rights” and “safeguarding”.

Policy (ISO 20121 5.2)

Your event sustainability policy should include a section on human rights, and you should include a separate policy on safeguarding:

Human Rights

The organisation’s commitment to respect human rights should be clearly outlined in a policy.

An effective policy will:

- Make a commitment to respect international human rights standards and reference relevant national/regional human rights laws and standards as applicable.

At a minimum, this should reference: the International Bill of Rights, the ILO Declaration on Fundamental Principles and Rights at Work, the UN Convention on the Rights of the Child, and follow the UN Guiding Principles on Business and Human Rights.

- Be approved at the most senior level of the organisation.
- Be drawn up with input from relevant internal and/or external experts.
- Make it clear to whom the policy applies and stipulate the human rights expectations of personnel, business partners and other parties directly linked to the organisation's operations, goods, or services.
- Be made public and communicated internally and externally to all personnel, business partners and third parties directly linked to the event or with whom the organisation has contractual relations.
- Link to other relevant policies and procedures needed to embed it across the organisation's activities, e.g. accessibility, diversity, and inclusion, safeguarding, sustainable sourcing, whistle-blowing and disciplinary policies.
- Be reviewed and updated periodically to take account of changing realities.

Safeguarding

The organisation's commitment to keeping children and at-risk adults safe, by both preventing risk and responding to concerns, should be clearly outlined in a policy.

An effective policy will:

- Cover the event's commitment to safeguard children in all aspects of work – including adopting a zero-tolerance approach to child abuse.
- Make it clear that safeguarding is everyone's responsibility.
- Describe all forms of harm and the ways in which the event may expose children and at-risk adults to risk of harm.
- Include definitions for:
 - Child
 - Adult at risk
 - Child abuse
 - Safeguarding
- Make it clear that all children and adults at risk have equal rights to protection.
- Link to other relevant policies including whistle-blowing and disciplinary policies.
- Link to relevant national and international legislation.
- Link to relevant procedures, including those for responding to safeguarding concerns.
- Be clearly written and easy to understand.
- Be officially endorsed and overseen by staff at the highest level of the event.

- Apply to all staff, volunteers, carers, or other representatives/people acting on behalf of the event.
- Involve consultation with adults at risk, children, parents/carers, and staff as part of the initial development and on-going review of the policy.

Organisational roles, responsibilities, and authorities (ISO 20121 5.3)

Human Rights and Safeguarding

The organisation should:

- Assign senior leadership/board members oversight for human rights and safeguarding.
- Where possible, appoint two senior managers to be accountable for:
 - the implementation of the human rights policy and procedures.
 - the implementation of the safeguarding policy and procedures.
- Designate a day-to-day human rights lead with responsibility for implementing the organisation's human rights policy and procedures and reporting regularly to senior management. Depending on the size of the organisation, the human rights lead should work with a cross-organisational Human Rights Team to provide direction, leadership and support for how human rights issues are managed, prioritised and resourced in the organisation; for monitoring and reviewing human rights implementation; and leading the decision-making process where there are specific human rights concerns. This would create an organisation-wide resource for all relevant functional areas (e.g. Procurement, Legal, Human Resources, Licensing, Security, Workplace Health and Safety, Sponsorship, Staff) and those most closely linked to the event's human rights risks.
- Designate a Safeguarding Officer to play the lead role in the organisation's implementation of safeguarding measures. This role should work with a cross-organisational Safeguarding Group, that provides direction, leadership, and support for how safeguarding is managed, prioritised, and resourced in the organisation; monitors and reviews the implementation of safeguarding across the organisation; and leads the decision-making process where there are specific safeguarding concerns, including reviewing learning. This would create an organisation-wide resource for all relevant functional areas (e.g. Procurement, Legal, Human Resources, Li-

censing, Security, Workplace Health and Safety, Sponsorship, Staff) and those most closely linked to the event’s safeguarding risks. This role would be responsible for enabling everyone to report concerns, whether they are unsure if abuse has actually taken place or not, through the creation and implementation of a process by which concerns should be reported and cases managed.

- Although there are specific roles and responsibilities, all Functional Areas (FAs) and individual staff members should play their part in implementing the human rights and safeguarding policy commitments. For example, FAs should reinforce the terms of the organisation’s policy commitments with stakeholders, escalate serious incidents, and report on the FA’s human rights performance.

Actions to Address Risks and Opportunities (ISO 20121 6.1)
Issue Identification and Evaluation (ISO 20121 6.1.2)
Legal and Other Requirements (ISO 20121 6.1.3)

Human Rights

The steps needed to identify and evaluate human rights issues that potentially or already impact people and their rights is part of the wider “human rights due diligence” process. It includes identifying, preventing, mitigating, and accounting for how the organisation addresses potential or actual harm to people. The main focus of human rights due diligence is risks to people, which differs from traditional risk management which focuses primarily on material risks to the organisation or its reputation (although risks to people and material risk to the organisation or its reputation can coincide).

Organisations will need to conduct:

- A **human rights impact assessment** of how the event - from conception to legacy - potentially or actually impacts people and their rights.
- A **saliency evaluation** that pinpoints the human rights issues most at risk from the event [see page 20 for detailed definition of “saliency”].

a. Human rights impact assessment

A human rights impact assessment can be incorporated within other environmental or social impact assessments. The identified human rights impacts can be positive or negative, but handling negative impacts should come first.

To be effective, the assessment should:

- a. Map the organisation's actual and potential activities and the goods and services of partners with links to the event.
- b. Assess if the organisation has or is likely to:
 - a. 'cause' or 'contribute to' adverse human rights impacts arising from these activities (by 'actions' or 'omissions') [see examples box below] or
 - b. be 'directly linked' to adverse human rights impacts via the operations, products, or services of its third-party business relationships (e.g. by the actions or omissions of a government, business, or other partners in the value chain) [see examples box below].
- c. Take account of all internationally recognised human rights (see Bibliography).
- d. Be undertaken at regular intervals: prior to any new activity or relationship, major decisions, or changes in the operation.

It is important to determine whether the organisation is likely to cause, contribute to or be directly linked to human rights impacts as this will determine how the organisation needs to respond.

An organisation can be directly linked to a human rights abuse or harm through its business relationships, even if it has not contributed to those impacts directly. The organisation should not assume any partner (even, for example, government-run security services) will not be complicit in adverse human rights impacts.

Note: The complexity of the impact assessment will vary with the size of the organisation, the risk of severe human rights impacts, and the nature and context of the event, and so processes can be adapted accordingly.

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

- **Cause** – if their own actions cause harm, e.g. discriminating against a worker on ethnicity or other grounds, or victimising workers for joining a trade union.
- **Contribute to** – if, in combination with partners, their activities cause harm or substantially incentivise and enable a third party to cause harm, or if the organisation could or 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 foreseeably have led suppliers to cut corners on 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 or hospitality supplier uses trafficked migrant workers or a firm producing event merchandise breaks a supplier code of conduct by using child labour.

b. Saliency evaluation

Salient human rights issues are the human rights that are at risk of the most severe negative impacts from the event or linked goods and services. Evaluating the saliency of the human rights impacts already identified enables the organisation to set priorities. These most at-risk human rights issues need to be the primary focus of an organisation's efforts and the subject of the most systematic and regular attention.

Salient human rights issues may vary depending on the context in which the event is taking place. For example:

- A market where labour laws are weak or poorly enforced, or work with suppliers from such a context, may face increased risk of worker rights violations.
- Countries affected by, or prone to, civil or other conflict may be at greater risk of security related risks, impacts on the right to life, or specific discrimination issues.
- Contexts with an indigenous population may face specific risks around impacting on that community's cultural or land rights.

To be effective, the organisation should evaluate the saliency of each identified human rights risk. Salient human rights risks are determined by their:

- **Scale** (seriousness) – the gravity of the human rights impact, e.g. life-threatening workplace accidents, forced labour, child sexual abuse, violent forced evictions of families, impacts on community access to essential resources (e.g. water, energy) and services (e.g. medical facilities); children are acutely vulnerable to many risks.
- **Scope** (volume) – the number of people affected or how widespread the impact is, e.g. a large percentage of workers in a supply chain factory are paid late.
- **Remediability** (urgency) – whether it will be difficult or impossible to make good a harm (e.g. through reinstatement) or to restore a former condition (e.g. this would not be possible for a life-changing workplace accident). [Note - delays in the organisation's response can make a harm irreversible or irreparable and this needs to be avoided].

Note: Human rights impacts are more salient the greater the scale, the scope or extent to which the adverse human rights impact is nearing a point where it can no longer be remediated (irreparable). A human rights impact can be salient even if it only meets one of these three characteristics.

Note: The concept of saliency differs from materiality. Saliency is about identifying those human rights most at risk of 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).

Process Box – Key considerations in conducting a human rights impact assessment and saliency evaluation

How do you do this? Include:

Country risk assessments

Industry impact analysis – generally and in context

Credible and trusted information sources (human, written and audio-visual)

Stakeholders listed in Understanding the Needs and Expectations section above – in particular, the human and child rights experts – can support this evaluation process.

c. Acting on the findings

An organisation's baseline responsibility is to respect human rights ("do no harm"). Therefore the first step is to avoid and address negative human rights impacts. Conducting a saliency evaluation will enable an organisation to prioritise action on the most salient potential or actual negative human rights impacts, e.g. the most severe human rights risks will be addressed first. This should come before the organisation addresses opportunities to support or promote people's human rights. This is because a failure to respect human rights in one area cannot be offset by a benefit provided in another area.

An organisation should adopt a case-by-case approach when determining how best to address any negative impact on human rights. In other words whether it "causes", "contributes to" or is "directly linked to" the human right impact, which will have been determined in the issue identification and evaluation process.

Once the organisation knows if it has/is likely to “cause”, “contribute to” or be “directly linked to” a human rights impact (through actions and omissions) it should respond in line with the table below:

Organisation’s link to human rights impact:	Causes	Contributes to	Directly linked to
Required re-sponse:	<ul style="list-style-type: none"> • Prevent or cease the action or omission. • Address or mitigate the impact. • Provide, or co-operate in, remediation. 	<ul style="list-style-type: none"> • Prevent or cease the contribution. • Use leverage to the fullest extent possible to address or mitigate any remaining adverse impacts. • Provide, or co-operate in, remediation. 	<ul style="list-style-type: none"> • Use leverage to the fullest extent possible over the third party that caused/is causing the harm to prompt them to prevent or mitigate the adverse impact. This may be done individually or in collaboration with others.

Further practical steps to respond to findings

To prevent or cease actions that cause or contribute to human rights abuses, and address or reduce the impact, the organisation’s actions should include:

- Developing codes of conducts, performance standards, global framework agreements with trade unions and/or similar systems so that findings from the risk assessment can be integrated into decision-making and accountability. These may apply to staff, business partners and other third parties in the value chain and, for example, outline acceptable and unacceptable behaviours.
- Setting up systematised approaches – e.g. decision-trees and scenario planning – so relevant business units and functions can take prompt and effective action and are prepared to respond to activity-level risks to people and prevent possible recurrence. These systems may pinpoint if/where additional training/guidance is needed.
- Putting in place a process for ongoing consultation with key human rights stakeholders [see Understanding the needs and expectations of interested parties] so the organisation is able to share concerns and seek advice on specific issues with trusted parties.

What is “leverage” and how to use it:

“Leverage” is the ability to effect change by exerting pressure or influence over a third party that causes or contributes to a human rights harm or safeguarding risk (through their actions or omissions).

The aim is to:

- Bring an end to the harm,
- Avoid future harms, and/or
- Support the remedy to human rights harms where that is feasible.

When an organisation is directly linked to a human rights harm via a business relationship and is in a position to use leverage to prevent or mitigate a human rights harm, it should do so to the fullest extent possible. This applies to all relationships, whether with a branch of government, a commercial partner or other entity in the value chain.

Process Box – Leverage

Organisations need to:

Assess their leverage in business relationships, especially in cases of heightened risk to human rights.

Explore ways to maximise that leverage from the start of relationships – e.g. through pre-qualification requirements in procurement tenders, setting contractual requirements, or offering capacity-building incentives to raise business standards among suppliers on human rights and safeguarding.

Identify opportunities for exercising or increasing the organisation's leverage.

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

Questions to ask:

Can you prepare by looking for alternative ways to strengthen leverage, for example by exploring collaboration with partners/other buyers to pool their leverage?

Are there any “crucial” business relationships and, if so, how would you respond if these relationships led to adverse human rights impacts being linked to your operations, products, or services?

Is the organisation equipped in terms of internal and external advice for such situations?

Process Box – Leverage

What to do if the organisation is unable to increase leverage?

The organisation may need to consider suspending or ending the business relationship. If this becomes necessary, the organisation should take 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).

For crucial relationships, if no alternative exists, the organisation should consider temporarily suspending a relationship whilst pursuing risk-mitigation steps. If the severity of the human rights abuses in question are assessed to be particularly high, termination may be the only option. If the organisation nevertheless chooses to continue with the relationship, they should be aware of the possible risk and reputational consequences.

Safeguarding

Conducting a safeguarding risk assessment will reveal the ways in which employees, volunteers and partners acting on behalf of the event come into direct or indirect contact with children and adults at risk. This assessment is the first step to understanding the risks and issues event activities might pose to the wellbeing of children and adults at risk, through interaction with the event, its employees, or its representatives.

The aim of the risk assessment is to reveal all opportunities event employees and representatives have, that could place them in direct or indirect contact with children and adults at risk as part of their job responsibilities, and to determine the risk level of each engagement.

Examples of direct contact include:

- Event venues and related activity sites
- Marketing activities that involve child actors or models e.g. photoshoots and filming
- Interacting with those living nearby the event location
- Volunteering with charities that work directly with children on behalf of the event company

Examples of indirect contact include:

- Communicating through online platforms
- Having access to sensitive data

- Marketing through social media platforms
- Receiving a claim of child abuse
- Collecting children's images

Setting Priorities and Mapping Gaps

Once the opportunities for contact have been mapped out, questions should be asked to understand where the areas with the highest potential risk or impact exist. This includes:

1. What contact does the event have with children or adults at risk as part of its business operations?
 - a. Direct contact: – What is the type of activity and where does this contact occur?
 - b. Indirect contact: – What is the type of activity, and where does this contact occur?
2. What is the frequency of this engagement with children or adults at risk?
3. Does contact with children or adults at risk require or allow employees or representatives to be alone with them? If so, how?
4. What are the potential risks to children and/or young people due to that contact? (Consider health, safety and potential abuse or neglect issues)

By answering these questions, the event will be able to identify opportunities for contact between its employees/ representatives and children or adults at risk, and determine the degree of risk for each.

Follow-up assessments should be conducted when new event opportunities, projects or campaigns are launched to evaluate the potential for new risks and come up with ways to mitigate those risks.

Once the risk assessment is complete, the next step is to conduct a gap analysis to map any relevant policies and processes that are already in place. This will enable the event to understand the extent to which safeguarding has been integrated into its overarching risk and issues management approach.

Actions to address risks and opportunities could include procedures that support the implementation of the policy and should cover both risk prevention and response.

1. **Prevention:** Steps should include:

- Safe recruitment of staff – this includes conducting background checks, securing references, posing interview questions, and carrying out induction training.

- Activity-level risk assessments – this involves day-to-day risk identification and management.
- Agreed codes of conduct – these should outline what is acceptable and unacceptable behavior on the part of staff, volunteers, or anyone acting on behalf of the event.
- Travel policies – these should outline protocols for managing risk when travelling with groups of children or adults at risks.
- Agreed supervision ratios – numbers should be set for how many adults are required to safely supervise different groups of children or adults at risk.
- Social media and image policies – these should be developed to address areas like securing consent, information storage, and to make sure images do not impact the dignity of the child or adult at risk – e.g. showing them in acute distress.
- Understanding additional vulnerability of certain children/people – and how this affects safeguarding risks.

2. **Response:** Identifying, reporting, and acting on concerns.

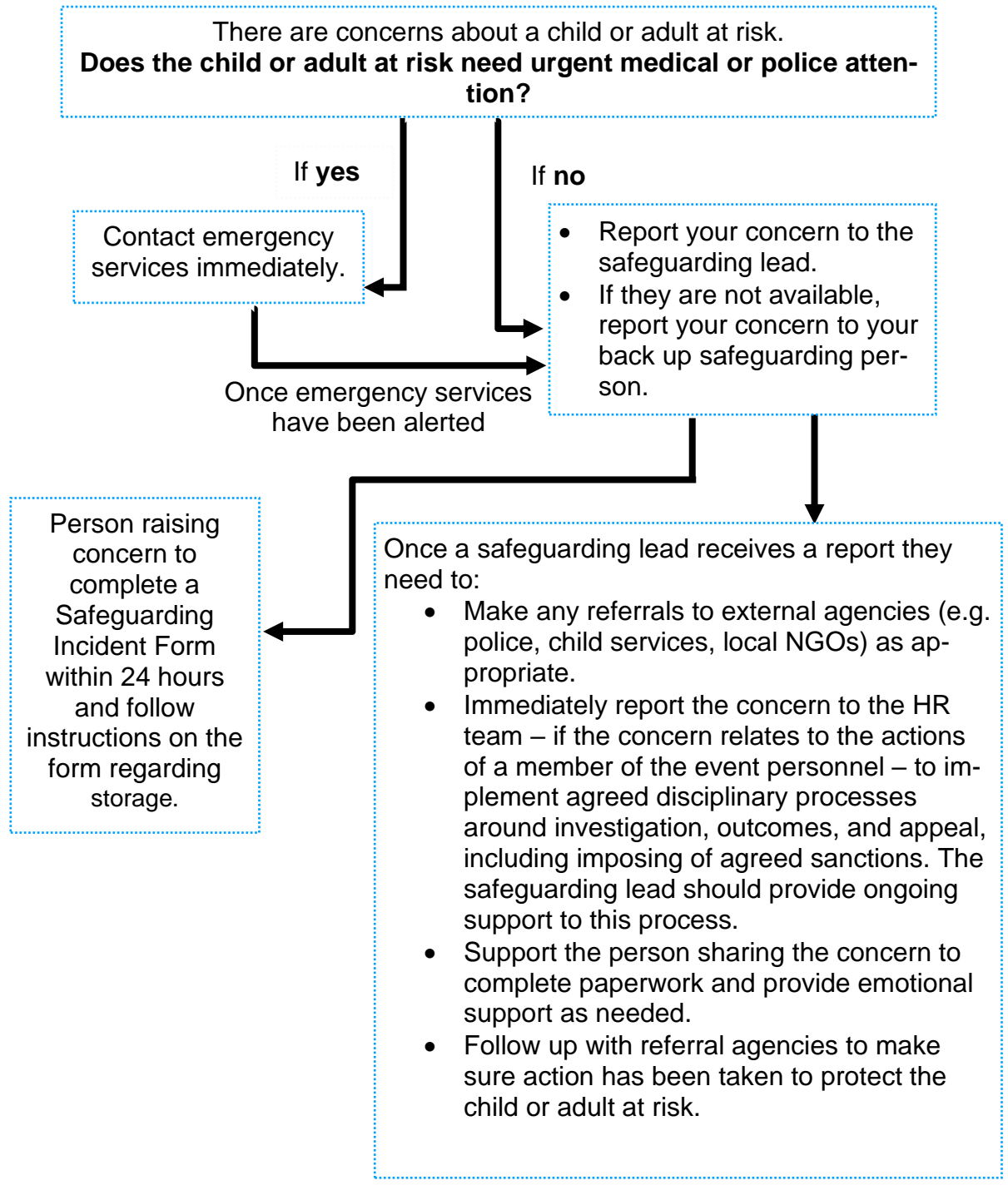
The first step to effective response is understanding and identifying safeguarding concerns. Concerns could be raised by:

- **The behaviour of people who might cause harm.** Staff should be able to identify behaviour such as favouritism of a particular child; communication outside the normal event channels; spending time alone with a child; or actual acts of physical, sexual, or verbal violence, that give rise to concern.
The behaviour or appearance of people who might be experiencing harm. This could include, for example, becoming increasingly withdrawn, or aggressive; using overly sexualised language; the presence of unexplained bruises or marks. These can all point to abuse happening.
- **Someone disclosing abuse – either witnessed or experienced.** Staff could have concerns raised to them by someone experiencing abuse themselves, or by someone who reports they have seen abuse take place.

If a concern is identified, a comprehensive reporting system needs to be in place to act on those concerns. This should include the following:

- **The duty of everyone to report concerns,** whether they are unsure if abuse has actually taken place or not.
- **The process by which concerns should be reported** and cases managed.

Process Box – Example reporting process



- **The need for a timely and confidential response:** Reports of harassment and abuse often contain extremely sensitive information. Often, people are reluctant to officially make reports, and therefore it is very important that reports are followed up in a timely and appropriate manner.

The event should regard an alleged incident of harassment and abuse as confidential, and personal information (including in particular name, date of birth, address, identification numbers) should not be disclosed, except:

- if the concerned person gives his/her prior consent
 - if disclosure is necessary to protect someone from harm
 - if a potential criminal act comes to the attention of the organisation
- That the reporting process should follow **applicable law**, including, for example, any applicable data protection laws which may apply and include reference to those laws.
- **A clear link to whistle-blowing and disciplinary policies.**

Support ([ISO 20121 7 Support, 7.1 resources, 7.2 competence](#))

Resources:

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

A budget line may also be required to build human rights capacity across the whole organisation, by providing relevant human rights operational and strategic training for dif-

ferent staff. This may require bringing in extra internal capacity, consultancy services or calling on specialist human rights expertise to deliver human rights training or other technical support. In some cases expert support will be possible on pro bono basis or as part of a partnership.

It is also helpful to provide budget for a Designated Safeguarding Officer role, to take on a lead role in the organisations implementation of safeguarding measures and ensure capacity building which could include:

- Training for different staff – both operational and strategic training
- Establishing a safeguarding advisory group

Competence:

One action 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 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.

An action that could be taken to ensure competence on safeguarding would be to organise training for all staff. Additional board and senior management workshops would support senior level buy-in for the necessary action needed.

Communication [\(ISO 20121 7.4\)](#)

To account for and show how the organisation addresses its human rights and safeguarding impacts it will need 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 and safeguarding good practice.

The organisation's communication should:

- Be public, regular and in a format that is accessible (e.g. for people with visual impairments), especially to affected groups.
- Be varied – it can take many forms e.g. in-person annual stakeholder engagement meetings, online consultations, web updates or formal sustainability reports.
- Include successes, failures and lessons learnt, and cover qualitative and quantitative findings.

It may help to make use of relevant human rights reporting tools e.g. the *UN Guiding Principles Reporting Framework*.

To be effective, the organisation should communicate on its:

- **Policy commitment to respect human rights and to embed safeguarding e.g.** Communicate how the policies were developed, what they cover, and to whom they apply, and how human rights and safeguarding fit into the organisation's wider management approaches on sustainability.
- **Systems to embed the human rights and safeguarding within its Governance e.g.** disclose who is responsible and accountable for managing human rights issues and for oversight of safeguarding.
- **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 and safeguarding risks, how it identifies, prevents and addresses its salient human rights and safeguarding risks, the approach it takes to consult with interested parties and affected groups (including opportunities to consult with chil-

dren), and how it acts on these findings, sets priorities, uses leverage over third party relationships to address human rights and safeguarding risks, and develops its preventive action plans, and how it tracks performance to know if its efforts to address each salient human rights issue and safeguarding risk are effective in practice.

- **Systems to respond to safeguarding concerns that arise as a result of the event** e.g. how the event knows if stakeholders are raising concerns, how it receives and manages concerns and assesses the effectiveness of outcomes, identifies any patterns of concerns, and uses these findings to learn lessons.
- **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 assesses the effectiveness of outcomes, identifies any patterns of complaints or concerns, and uses these findings to learn lessons.

Key considerations:

The organisation 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 and safeguarding concerns.
- 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.

Operational Planning and Control [\[ISO 20121 8.1\]](#)

The following key questions could be considered to ensure your operational plans reflect a consideration for human rights and safeguarding:

- 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 or safeguarding 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 or safeguarding risks 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 and safeguarding training or do they require any additional support?
- How will your teams deal with concerns or 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 and safeguarding if applicable?
- Have you screened all suppliers for human rights and labour rights issues, including safeguarding, within your evaluation process and are you confident in your choice of supplier/s?
- Have you put procedures in place to address safeguarding during the event, particularly of children – both to prevent harm 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 or safeguarding risks?
- 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 you team is doing to address human rights and safeguarding issues?

Supply Chain Management [\[ISO 20121 8.3\]](#)

The supply chain is a high-risk area from a human and child rights perspective and human rights considerations need to be integrated into the procurement process and contracting.

Organisations should consider human rights issues outside the workplace - 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.

To be effective the organisation will need to embed human rights considerations within the procurement process, it should:

i) Integrate 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) Reference 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) Build human rights expectations into the tendering and contractual process.

- Include respect for human rights in any pre-qualification tender requirements.
- Develop a sourcing / supplier code and compliance with it as part contractual terms with suppliers (including sponsors) and include within it audit stipulations and reporting processes.
- Require all potential suppliers to disclose when they source from high-risk countries e.g. through a questionnaire.
- 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) Embed human rights criteria in the tender evaluation process.

- Ensure skills are in place to evaluate the human rights elements of tender submissions.
- Incentivise 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.

Monitoring, Measurement, Analysis and Evaluation [\[ISO 20121 9.2\]](#)

Organisations need to monitor, measure, analyse and evaluate their human rights and safeguarding performance.

To be effective this 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, LGBTI community members
- Number of salient potential/actual human rights impacts identified, and how many had been addressed
- Number and nature of safeguarding concerns logged
- Effectiveness of policies and procedures
- Rates and severity of workplace accidents

- Percentage of human rights and safeguarding 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.
- Feedback from stakeholders on their experience of event culture e.g. how welcomed they felt.

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.

Process Box – Qualitative data

This should draw on input from stakeholder engagement, including human rights and safeguarding experts, trade unions and affected groups themselves (see Understanding the Needs and Expectations of Interested Parties above).

Points to discover:

Invite affected groups (e.g. through anonymised questionnaires) to assess whether the human rights and safeguarding systems designed to mitigate adverse impacts are effective and user-friendly.

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.

Points to discover:

Prioritise the performance tracking on identified “salient” impacts (see Terms and Definitions). This aids continuous learning and keeps external stakeholders informed about how the event is performing on its high-risk areas, in particular regarding at-risk and marginalised 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 or safeguarding concerns based on more than one characteristic (e.g. LGBTI 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

Identify key trends and patterns in your event’s human rights and safeguarding performance, for example by types of concern raised, or 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 reporting, grievance or complaint mechanisms e.g. number of complaints raised to procurement, to identify recurring patterns.

Non-conformities and corrective actions [\[ISO 20121 10.1\]](#)

Things can go wrong. Even if the organisation and its partners have robust prevention and mitigation systems, things can go awry. This might be because of individual errors, unforeseen risks, or partners failing to meet requirements. These can lead the event to

“cause” or “contribute to” human rights violations or safeguarding harms. In such circumstances it is important to put things right as quickly as possible.

Human rights

Organisations that “cause”, “contribute to” or are “directly linked” to human rights harms are expected under the UN Guiding Principles to “**provide for, or co-operate in, effective remedy.**” [see Table 2 in Actions to Address Risks and Opportunities].

This means taking corrective action that puts people, and specifically the victims of harm, first. It is about ‘making good’ the harm.

Why is access to effective remedy for victims/injured parties important?

It enables the organisation to:

- Take corrective action for non-conformities and other oversights, and prevent recurrence
- Demonstrate its respect for human rights and a willingness to be held accountable if/when things go wrong
- Respond quickly to human rights harms and prevent them from getting worse or the damage becoming irreversible
- Provide a feedback-loop to strengthen policies and processes and so supports continuous improvement, and
- Further build trust with stakeholders.

What is remedy?

Remedy means making good a human rights harm. It takes many forms including:

- An apology,
- 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)

- Rehabilitation
- Mediated outcomes
- Legal or other sanctions – e.g. fines, civil or criminal charges.

Some 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.

Some human rights harms are far harder to remedy, e.g. a child that is a victim of sexual abuse or life-changing workplace injuries or fatalities. Some may require recourse to legal procedures, 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 includes for human rights violations arising from a business enterprise's activities, goods, and services.

Why are Government-run remedy systems not always appropriate?

Victims of human rights violations, including those arising in an event context, must always have access to judicial (court-based systems) proceedings. The Organisation must never deny people this right as that would itself be a human rights violation.

Government-run remedy systems though vary by context and in some cases are imperfect. For example, they could be bureaucratic, slow, poorly resourced, corrupt, costly, unavailable to certain groups (e.g. migrant workers or indigenous people are sometimes denied the same legal protections as wider populations) and not readily accessible to children or other at-risk groups. This can create additional challenges for event organisations.

Government-run systems may not be appropriate in every case. Not all adverse human rights impacts rise to the level of criminal or civil cases or public investigations, and many harms can be better remedied at the operational level and/or through mediation.

How can remedy be put into practice?

If the organisation “causes” or “contributes to” negative human rights impacts it must “provide for, or co-operate in, effective remedy” – for example through operational-level grievance mechanisms (e.g. complaint system) set up by the organisation, or operated in collaboration with others. The organisation may need to take a collaborative approach, for example working with government, business partners, human rights and child protection experts and others to ensure access to effective remedy for victims of human rights harms. Good outcomes can often be achieved via a smart mix of Government and operational-level mechanisms.

Note: The expectation to provide access to remedy does not exist where the organisation is only ‘directly linked’ to the harm via a business relationship. In this case, the third party itself is responsible for providing remedy. Organisations, though, may choose to use their leverage to prevent the harm continuing, reduce the chance of it recurring and encourage access to remedy.

Organisations will need to:

a) Build a culture to see reports, complaints, and remedy positively.

Reports of concerns and complaints can help strengthen the organisation’s human rights and safeguarding systems by highlighting flaws in its processes. It is helpful to overcome the fear factor.

This allows concerns to be raised, fixed and lessons learnt quickly and can prevent recurrence or stop harms worsening. Well-handled reporting and complaint systems can reinforce the organisations stakeholder engagement and build trust.

b) Develop a process to identify adverse human rights impacts that require remedy.

The organisation can learn of human rights harms via:

- The organisation's own reporting, complaints, or grievance mechanisms (e.g. safeguarding reporting, hotlines, complaint channels).
- Regular and ongoing engagement with stakeholders and affected groups / individuals.
- On-ground tracking and monitoring systems
- Media reports and
- Academic and other studies.

The process should find ways to distinguish between systemic violations (e.g. several of the same type of case or involving the same perpetrator(s)) and individual / "one-off" cases.

c) Map available remedy channels.

The organisation can use, co-operate with, or in some cases adapt existing processes to remedy human rights harms. This should include mapping:

- Internal systems - e.g. ethics and compliance, whistleblower and anti-corruption channels, or other human rights-related systems e.g. for dealing with accessibility, safeguarding or workplace health and safety issues.
- External systems – e.g. government or non-government run systems. These may be in the event geography, internationally or within a related industry or sector. The organisation should determine if these systems could be used to remedy harms arising from event preparation, delivery, and legacy.

The organisation may want to co-operate in more than one 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 could be handled via industrial relations processes e.g. via conciliation and arbitration.

d) Assess the legitimacy of the mapped remedy channels.

To be viable, remedy processes need to be regarded as accessible (e.g. child-friendly), legitimate, credible, and trustworthy by the people expected to use them. For the mapped remedy channels above, the organisation should advice from human rights experts and stakeholders.

Legitimate external remedy channels might include:

- Courts, worker tribunals or arbitration mechanisms
- Independent National Human Rights Institutions/Commissions/Ombudspersons - which conduct investigations, handle complaints and mediate disputes
- Ombudspersons/Commissions that oversee particular human rights areas e.g. Children's Commissioners or those addressing discrimination, disability rights, or modern slavery/human trafficking.
- Children's Commissioners, Youth Justice mechanisms that enable access to effective remedy for people under age 18.
- Consumer or environmental protection agencies, regulatory oversight bodies.
- National Contact Points of the OECD Guidelines for Multinational Enterprises.
- Industry Relations Mechanisms
- Multi-stakeholder or community grievance mechanisms.

e) Conduct outreach to co-operate with legitimate remedy channels.

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

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

In cases where an affected group or person chooses to pursue a grievance or dispute through a judicial process, or where a crime is alleged to have been committed, the organisation should co-operate with legal proceedings fully (while preserving the right to mount an appropriate legal defence). Do not impede a complainant's access to the courts, judicial procedures, or administrative procedures.

Do not make use of an operational-level grievance mechanisms conditional on a claimant waiving their right to pursue legal proceedings.

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

The organisation should set up, or participate in, operational-level grievance mechanism(s). For human rights this can be administered by partners and/or in collaboration with specialist organisations, human rights experts, or relevant stakeholders.

For Safeguarding, the organisation should set up an operational-level mechanism.

To be effective, an operational-level grievance mechanism should meet a set of 'Effectiveness Criteria' set out in the UN Guiding Principles on Business and Human Rights outlined below. These criteria apply to both complex or quite simple mechanisms, but they can otherwise reflect the organisation's capacity and available resources.

- *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. They should be free or with costs kept to a minimum for users, located ideally in close proximity to expected users. Users should be able to access the mechanism without fear of reprisal. Extra provision may be need for specific groups – e.g. children, foreign language-speakers, people with learning difficulties or facing other barriers to use.
- *Predictable* – it should be clear who can access the mechanism, the 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 user-confidentiality and prevent risks of intimidation / retaliation / victimisation.
- *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 functions (e.g. frequency of use, patterns of grievances), so that lessons can be learned, and improvements made to policies and processes to prevent recurrence.
- *Based on engagement and dialogue* – the organisation will need to take steps to engage interested parties and affected groups in the design and performance of the mechanism. This 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.

Bibliography

International Human Rights Instruments/Standards

Universal Declaration of Human Rights (UDHR)*

International Covenant on Civil and Political Rights (ICCPR)*

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

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

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

* - These instruments together make up the International Bill of 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 Labor 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