SUMMARY REPORT
UNGPS10+ CONSULTATION ON THE GENDER DIMENSIONS OF BUSINESS AND HUMAN RIGHTS
24 FEBRUARY 2021

This summary report has been compiled by the co-organisers: the Danish Institute for Human Rights (DIHR), the Global Business Initiative on Human Rights (GBI), International Women's Rights Action Watch Asia Pacific (IWRAW Asia Pacific) and RMIT University (Melbourne) Business and Human Rights Centre

I.   Introduction

In response to the call for inputs issued in July 2020 by the UN Working Group on Business and Human Rights (UNWG) to support its global project, 'Business and human rights: towards a decade of global implementation', and in close collaboration with the UNGPs10+ team, the Danish Institute for Human Rights (DIHR), the Global Business Initiative on Human Rights (GBI), International Women's Rights Action Watch Asia Pacific (IWRAW Asia Pacific) and RMIT University (Melbourne) Business and Human Rights Centre jointly hosted a global consultation on 24 February 2021. The consultation focused on the gender dimensions of the next decade of UN Guiding Principles on Business and Human Rights (UNGPs) implementation, and it was held in two time-zone settings under the Chatham House Rule. Accordingly, this summary aims to share the richness of the discussions held, but does not attribute views or information to their sources nor include any verbatim quotations. ***Moreover, none of the hosting organisations necessarily adheres to any of the views expressed by participants in the consultation and reported in this summary.***

The consultation was held in an effort to inform the work of the UNWG's UNGPs10+ 'next decade' project, in particular the development of a Roadmap setting out an implementation strategy with goals and targets for states, business enterprises and associations, international organisations and other actors, for the next ten years of implementation of the UNGPs. The consultation was intended also to build on the three-step gender framework laid out in the UNWG's 2019 Gender Guidance (A/HRC/41/43) which includes: (1) gender responsive assessments; (2) gender transformative measures; and (3) gender transformative remedies – to be used by states, businesses and other stakeholders to achieve substantive gender equality in the context of UNGPs implementation.[1]

I.I Aims and Objectives

The **aims and objectives** of the consultation were to convene gender experts and practitioners from different backgrounds and global regions to receive input on progress, challenges, and future priorities regarding efforts to address the gender-related impacts of business activities to inform the UNWG's draft stocktaking and Roadmap reports. The participants were asked to:

1. raise critical gender issues that the UNGPs10+ process should take into account; and
2. provide concrete input on how the gender dimensions of the Roadmap themes can be strengthened.

In both consultation sessions, the UNGPs10+ team was present to introduce the UNGPs10+ process and draft Roadmap, and to facilitate initial reflections on the gender dimensions of business and human rights. A small number of experts were invited to provide comments on some selected themes, and this was followed by a short plenary discussion. The second part of each session was comprised of six thematic breakout groups, ending with a report back to the plenary.

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[1] All references to 'women' during the consultation and in this summary report are inclusive of girls, transgender and intersex women. See UN Human Rights Council, Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises on Gender dimensions of the Guiding Principles on Business and Human Rights, 23 May 2019, A/HRC/41/43, paras. 1, 9, available at: https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/41/43.

I.II Background

June 2021 marks the tenth anniversary of the unanimous endorsement by the Human Rights Council of the UNGPs in its resolution 17/4 of 16 June 2011. A major step forward in efforts to prevent and address business-related human rights abuse, the UNGPs provide the global authoritative framework for state duties and business responsibilities to achieve the vision of 'tangible results for affected individuals and communities, and thereby also contributing to a socially sustainable globalization.'

As part of its mandate to promote the UNGPs, the UNWG is undertaking the UNGPs10+ project to chart a course for a decade of action on business and human rights. This effort, informed by wide-ranging stakeholder consultations, will take stock of achievements to date, assess existing gaps and challenges, and, most importantly, develop an ambitious vision and Roadmap for implementing the UNGPs more widely and more broadly over the next ten years.

I.III Methodology for Consultation

To facilitate the participation of people based in different parts of the world, the organisers held two identical sessions of 30-35 participants from business, trade unions, civil society, national human rights institutions, multilateral organisations and academia in two different time zones (7.00 CET and 17.00 CET).

While the consultation included participants from across the globe and from a variety of perspectives, several obstacles to inclusive participation and an intersectionality approach were not overcome, in part due to the tight timeline and financial constraints in organising the consultation. For instance, additional efforts regarding the following factors could have enhanced inclusive participation and should be considered and addressed in future consultations and efforts to implement the UNGPs10+ Roadmap: timeframe and resources to identify and work with the many women's organisations across the globe to access diverse and relevant regional and local expertise and experience; translation and holding meetings in multiple languages; measures to address the access needs of women with disabilities, and funding to support participation of marginalised rights-holders, e.g. telephone or internet costs for participants located in rural areas or without data or cell phone coverage.

With respect to how this summary report was comprised the organisers would also like to note that each breakout group included experts and practitioners with different areas of knowledge and experience. Breakout group facilitators and note-takers were not always experts across the range of issues covered. Time pressure and resources did not enable verification of notes and summary reports with each participant. Thus, not all the nuances from the very rich discussion are captured in this short summary report. We apologise for any omissions and/or misinterpretations that may have resulted. We also note that we were unable to include breakout groups for all the draft Roadmap themes, and that a number of people were unable to attend at the last minute, leaving gaps in expertise, relating to global supply chain workers for example. Finally, we note that this one consultation could not possibly capture all the important gender priorities and perspectives necessary to ensure that gender issues are effectively integrated in to the UNGPs10+ 'next decade' project and implementation. This is merely a contribution in that direction, which must continue to be shaped by rapidly changing local, regional and global events.

We therefore encourage the UNWG and other stakeholders engaged in business and human rights to pursue continued engagement on the intersectional gender dimensions of UNGPs implementation throughout the next decade, including by employing methods that will help address barriers to inclusion.

Participants were encouraged to contribute to the consultation by **recognising diversity, inclusion, non-discrimination and the need for an intersectional lens when engaging with the issues.**

II.   Key Starting Points

Participants were clear in signalling **three key challenges to common assumptions** that need to be addressed when working on gender, human rights and business.

(1) **There are no homogenous groups/intersectionality must be recognised:** Many participants emphasised that looking at any 'group', for example women, as homogenous, is problematic because it fails to properly identify the intersectional nature of discrimination and therefore limits the ability of proposed solutions to achieve substantive gender equality. There was a consistent call for recognising the diverse forms of marginalisation faced by people situated in their whole person identifying the intersectional complexity that impacts directly their enjoyment of human rights (whether they are, for example, the poorest women, Indigenous, least educated, transgender persons, women living in slums, and women of colour). It was recognised that the involvement of people from the Global South is fundamental to ongoing business and human rights discussions and gender discussions in particular. The need to not look at issues as silos or ahistorically was also emphasised. Some participants called for the ongoing legacies of colonialism and the role of racism within the global economy to be addressed in the context of UNGPs implementation, particularly in relation to gender discrimination and the exploitation of the labour of women workers in the Global South. Intersectionality and reflexivity of unconscious biases were pointed out as critical issues. In addition, it was raised that there is a need to not view women only as victims.

(2) **Gender is often left out of human rights and business discussions:** It was brought up by a number of participants that human rights organisations, including organisations focusing on business and human rights, often fail to address gender-related issues. Therefore, there was a call for more specific conversations that integrate gender by searching out advice and consultation on gender and intersectional issues specifically. It was said that this consultation was a good example of what can be done in this direction, even with the caveats above regarding inclusion and accessibility. In addition, this is an opportunity to move away from traditional business models and normative frameworks to integrate core feminist ideologies and practices into the development and implementation of business and human rights frameworks and practices going forward, including in the context of the UNGPs10+ Roadmap.

(3) **The need to challenge binary constructions of gender:** A number of participants spoke about the tendency for work on gender to be assumed to address only women and girls, rather than applying a more nuanced understanding of gender, as well as addressing LGBTI+ communities. Indeed, participants reminded the UNWG that gender discrimination can concern people of all genders, including, cis, trans and intersex women and men, and gender non-conforming people, and encouraged the UNWG to move beyond a gender binary. While the UNWG Gender Guidance states that, 'all references to "women" includes girls as well as transgender and intersex women', it was suggested that the UNWG use a broader definition of gender in the UNGPs10+ 'next decade' project. It was suggested that it would also be important to address the role of men and masculinities in the context of the gender dimensions of the UNGPs.

III.   Key Overarching Messages

Participants raised these three issues in several sessions and in plenary. We report them here to be highlighted.

(1) **Work in this area should challenge economic structures built on the male breadwinner model, unpaid or underpaid care work, and undervalued female work:** For example, participants pointed to a body of knowledge which shows that business models and the organisation of work in numerous industries (including in global value chains) are grounded in, and associated with, gender discrimination, and often connected with sexual and gender-based violence (SGBV), and that this should be further recognised and addressed. In several of the breakout group discussions on SGBV, women workers, care work and LGBTI+ rights, participants highlighted that economic structures often *rely on* gender discrimination and business models often leverage and exploit/facilitate/perpetuate it. In particular, some participants noted that capitalism itself undermines gender equality, and highlighted the limits of solutions and guidelines that do not challenge the logics of capitalism, including the orientation towards profit-making with a focus on 'efficiency' or 'cost effectiveness'. The latter leads to reliance on narrow conceptions of human rights duties and responsibilities, rather than

an analysis of structural discrimination within the global economy and the disproportionate impacts on women. At the same time, some participants brought up opportunities and ways for business to meet the needs of women and LGBTI+ people by creating new business models and ways of organising work. There was a call for business to meet women where they are, rather than the other way around, including by breaking traditional models of work.

(2) **Attention should be given to the 'decimation' of the non-governmental organisation (NGO) sector, in particular those working on gender issues:** The importance of women's and LGBTI+ groups, movements and civil society organisations, to engage with the gender dimensions of business and human rights and the lived realities of women and LGBTI+ people, including in the workplace, was highlighted by several participants. Lack of funding for civil society was raised by many in the consultation. It was noted that civil society organisations cannot effectively contribute to governance mechanisms and processes to address the gendered impacts of business activities, when they are drastically under-resourced, partly because such underfunding leads them to be vulnerable to co-optation by business and other interests/funders. Moreover, the issues of increased suppression of organising was raised, including the use of Covid-19 as a pretext by governments and businesses to limit workers' ability to organise.

(3) **Increased attention to accountability is needed:** Participants focused on accountability, arguing that effective implementation of the UNGPs requires stronger language and processes to ensure business accountability. For example, it was said that a great deal of language in the UNWG Gender Guidance focuses on incentives, but accountability does not come out so strongly. While there can be progressive laws, without implementation they remain ineffective.

IV. Key themes highlighted for the Roadmap in addition to the six topics chosen for the consultation

Participants urged the UNWG to reflect the following themes in the UNGPs 10+ Roadmap:

(1) **Issues of context and company practice:** Some participants recommended that the UNWG recognise that companies often step into complex societal contexts where power structures are discriminatory based on gender and other dynamics. While companies do not necessarily *cause* the societal discrimination, they can, it was stated, albeit sometimes inadvertently, exacerbate and perpetuate it, due to lack of understanding, and an assumption that *societal prejudices* can somehow be eliminated via *internal policy and practice*. Participants warned that diversity and inclusion policies and departments may be unable to fully navigate these human rights themes. There was a general call for the need for gender responsive practices to address structural discrimination and unequal power relations, for example, including both technical and political elements of gender mainstreaming, such as through gender impact assessment. There were also calls for the Roadmap to look into this dynamic in the context of public-private partnerships and joint ventures involving state-owned enterprises.

(2) **Build better, not 'back' – i.e. challenge structures:** Participants discussed the fact that the current time is a moment of complex crises, Covid-19, the climate crisis, and a crisis of multilateralism. But there was interest in using these crises to fast-track existing demands now that claims of inequality are clearly being documented and 'seen'. An expectation was expressed that the Roadmap will demonstrate and call for a shift to practices that sustain people and their rights, which would support Global South agendas with an intersectional approach. There were calls for the Roadmap to reimagine what is possible. There was a clear call for not building 'back' but building 'better' and to challenge structures that perpetuate inequalities in areas such as financial institutions, trade and investment, among others.

(3) **Recognise and address the relationship between SGBV, business models and the organisation of work:** There was a call for the Roadmap to dedicate a line of work to address how economic structures support SGBV and how businesses rely on the exploitation of women. This includes the relationship between women and LGBTI+ people in global value chains, informal work, precarious work, and unpaid care work and SGBV.

(4) **Culturally appropriate remedial mechanisms:** Participants spoke about the fact that rights-holders affected by business activities and companies continue to struggle with building culturally appropriate remedial mechanisms that take into account the intersectional challenges of the most marginalised people (e.g. people of colour, ethnic minorities, poor people, disempowered people, those living in remote villages, those with no opportunity to use the court system, those living in places where there is no, or limited, government presence or where corruption is prevalent), which often means in these contexts that remediation processes victimise them again. Those seeking remedy, participants recounted, have to continue to raise human rights issues year after year when appropriate remedy is not forthcoming, even after business operations are closed.

(5) **Conflict affected areas:** Participants spoke of the fact that impacts of past and ongoing conflict have often been intensified by large and mega infrastructure projects. There was also concern expressed that state-owned enterprises have often used the power of the state to side-step regulation and communities, including especially migrant women, Indigenous women and other marginalised populations. Special economic zones were also brought up as facilitating exploitation and SGBV inside and outside of conflict affected areas. Participants urged that in conflict situations, conflict sensitivity is operationalised and substantive commitments be made by companies and governments to address the intersection of conflict, impunity and threats against women, with particular regard for the disproportionate impact on women human rights defenders in these contexts. Calls were made for a commitment to ensuring that foreign corporations and home states proactively address the challenges faced by women human rights defenders, and adopt clear, robust, transparent and accountable measures to respect human rights, including the obligation of home states to comply with extraterritorial obligations.

(6) **Placing the care economy and care work squarely on business and human rights agendas:** Participants urged the recognition of care work as a collective responsibility that is essential to the sustainability of life and business organisations. The state obligations and company responsibilities for care work was discussed, including the recognition, remuneration, and redistribution of care work, to ensure representation of all people who do care work (in the home and the workplace) in decision-making. Interest was expressed by numerous participants to include a focus on the role and function of the care economy, and the application of the UNGPs to this sector in the Roadmap.

(7) **Addressing technology related challenges:** In relation to gendered impacts of technology and the increasing reliance on digital technologies, participants pointed to the need to recognise the rise of the digital economy and the associated growing digital divides. For instance, it was pointed out that digital technologies developed in the Global North are often imported to the Global South without taking account of local context, including cultural norms and realities, and that the generation of digital technologies insufficiently builds upon Global South generated knowledge and developments. Participants also highlighted that the Roadmap should take account of the relationship between SGBV and internet service providers, technology and telephone companies, as well as artificial intelligence replicating and exacerbating gender biases.

(8) **Other themes articulated:**
   a. There was a call to invert our consideration of human rights and gender in business and human rights. In other words, gender should not be an add-on to the *core* discussion; but rather the question should be who is part of the business and human rights discussion – people of all genders and sexual orientations, it was argued, need to be in meetings, at the UN, in discussions about business models and business strategy.
   b. There was a call for work on gender relating to Pillar 1 of the UNGPs to address commercial and corporate law in particular.
   c. It was signalled that countries are stepping up on ILO Convention 190 on violence and harassment, and there will likely be numerous further opportunities here relating to business and human rights.
   d. The possibility of advancing of negotiations towards a Binding Treaty for Transnational Corporations and Humans Rights was discussed.

e. The Roadmap could emphasise, it was suggested, an interpretation of the UNGPs that strengthens states' duties to uphold the human rights of their citizens rather than prioritise the protection of business actors and assets over the lives of local populations. Moreover, violence can be perpetrated by businesses and also by states.

IV. Key Messages by Topic

A. Women workers: This session focused on the major human rights impacts of business on women as workers, including throughout global business value chains, and including in the context of Covid-19.

1. What did participants list as the key challenges with respect to gender, and gender equality, relating to business in the context of women workers?

- There was discussion of the fact that certain industries are male dominated and many have a culture which exalts strength, relying on the use of force and technology, and in which the leadership is almost wholly male. This also means there is no infrastructure to welcome women into operations or leadership (e.g. workcamps are not set up for those who are not male). There is a need to **reshape norms around the idea of 'gendered' occupations** (e.g. associating certain genders with certain occupations).

- It was observed that while engagement with **women's civil society groups and movements is fundamental to addressing the gendered human rights impacts of business on women workers**, these organisations have been decimated in recent years. In this vein, it was again stressed that women are not a homogenous group and that many groups of women are not considered in laws and businesses.

- There was a discussion on the **paradox of diversity and inclusion departments.** Diversity and inclusion departments, it was argued, are often feminised and marginalised, and can create silos where certain issues are solely addressed in that department, which lacks the power, mandate and ability to reach higher echelons of the company. Thus, 'diversity and inclusion', participants stated, can end up being largely ceremonial or may solely impact who the company hires and promotes in relation to specific and limited key performance indicators, and based on the false assumption that hiring more women automatically means gender discrimination will be addressed. This approach, it was argued, can have the negative consequence of marginalising the discussion of gender and other bases for discrimination, keeping the scope of those discussions focused only on hiring and promotions. In this way, diversity and inclusion departments can even get in the way of larger conversations around how business models, business strategy and organisation of work can perpetuate gender and other forms of discrimination. It was additionally noted that in many instances, business schools also do not integrate gender discrimination and business and human rights when teaching strategy and competition. Additionally, participants said there is risk that a focus on incremental change inhibits interventions for larger, wider changes. However, it was also noted that in some instances, diversity and inclusion departments work to challenge company culture with an aim towards gender equality.

- The **growth of the informal economy and the overrepresentation of women and people from LGBTI+ communities in the informal economy** was discussed. This was brought up as a major issue globally with respect to the increasing precarious nature of work and the feminisation of poverty. It was suggested that states need to address the over-representation of women and LGBTI+ people in the informal sector, going right back to education and structural discrimination. Participants spoke about women and LGBTI+ people facing a number of obstacles to enter and stay in formal employment. Those listed include discrimination, sexual harassment, gender-based violence in the workforce, bullying and being undermined. Participants spoke of the fact that for many women and LGBTI+ people there is no correlation between their education and their ability to find employment, and many factors discourage their entry into the formal economy. Maintaining good physical and psychological health and safety of women and LGBTI+ people in the workplace is a challenge. Some suggested practices include 'affinity groups' or 'inverted coaching' where women and LGBTI+ people coach C-level executives.

- Participants noted that patriarchal norms and structures often result in **women being excluded from trade unions.** The challenge was framed as: how to facilitate the organisation of women to ensure that companies create an environment that allows women to organise. There was an observance of increased suppression of organising, with Covid-19 being used as a pretext for governments and businesses to limit workers' ability to organise.

2. **What did participants offer as recommendations for the UNWG's Roadmap for the next 10 years?**

- There was a call for **identifying economic structures, business models (e.g. global value chains) and industries that *rely on, perpetuate and facilitate* gender-based discrimination and SGBV**, which are not currently identified as such in business and human rights discourse or in the UNWG Gender Guidance. It was suggested that business models and the organisation of work in the garment and tobacco industries, for example, might be particularly exploitative and have specific gendered impacts where women are left worst off. Examples from a specific country context were used to describe this and how women are left out of processes for remedy and intimidated to tell their stories.

Participants suggested that the UNWG:
- Shift focus away from the heavy focus on large, multinational companies and work on small and medium sized enterprises (SMEs) and the informal economy – where women and LGBTI+ people are disproportionately represented.
- Actively roll out the UNWG Gender Guidance far and wide, to states, institutions, companies and civil society.
- Engage a broader participation of civil society, especially women's and LGBTI+ rights organisations, and national human rights institutions.
- Aim to address 'root causes' for gender-based discrimination, to address the economic structures facilitating it and business behaviour that leverages it.
- Push for the continued need for social dialogue, including with unions. As workers know what they need, the UNWG should be consulting them.
- Participants emphasised the role of existing structures and standards around labour rights to continue to guide the work on creating policies that are productive and wanted by workers.
- Emphasise the state role of putting in place policies to:
  - stimulate wider societal discussions about gender that sets the direction for businesses and takes the discussion to a board, strategic level;
  - shift unequal responsibilities and roles (e.g. for provision of care) that limit women's workforce participation and careers.
- Engage business schools to reshape how business strategy and ideas of competition are taught – looking to new business models and the circular economy (tie up with the climate crisis).

B. **Sexual and gender-based violence**: This session addressed the global 'silent pandemic' of SGBV, and how this relates to business operations and human rights, including in the context of Covid-19.

1. **What did participants state were the key challenges with respect to gender, and gender equality, relating to business in the context of SGBV?**

- **It was noted that business dynamics can increase SGBV.** For example, where community conflict erupts around business activities, there are differential gender impacts on women civil society leaders, who are often active opponents of economic restructuring and land redistribution policies. In contexts where the state enacts policies to facilitate access to, and exploitation of, natural resources by transnational corporations, women leaders are the single largest group experiencing targeted and lethal violence for simply speaking publicly against these developments. There are also situations where governments are stopping women from taking part in human rights due diligence; often women are seen as minorities or antagonists and unimportant, also impacting on lack of funding for their human rights advocacy. Even when they are taken from villages, raped and detained, in the context of large-scale projects, for example, they are not listened to. Participants made the observation that

Indigenous women are especially at risk on a daily basis from global business operations. Concrete examples were shared of women who have experienced SGBV in the context of natural resource extraction projects and continue to fight for this to be addressed by the state and business actors involved, with calls for the UNWG to **back up these women and human rights defenders on the ground now.** What was reported is the state violating the human rights of its citizens in indirect support of global business, highlighting that **both government and business need to be held accountable** more effectively.

- Participants expressed the view that **big business can perpetuate oppressive structures such as toxic masculinity/misogyny, and racism.** Predominantly, masculine culture, and particularly toxic masculinity, continues to set the standard for ways both business and government operate, setting the stage for SGBV.

- **Participants recognised that oftentimes business profits from structural inequalities** and that gender and intersectional inequality are fundamental to the business model for many industries, across value chains for example. Another example comes from SGBV against sex workers/people in prostitution. Participants put forward the view that states are also complicit, through criminalisation for example, and police will pose as clients and rape sex workers, with no opportunity for redress. Some participants noted that the sex industry is a choice perhaps through a lack of other choices. Some argued that it enables people, particularly women in poverty, to be able to earn a living and have income and resources. Others argued that prostitution/sex work is not a viable livelihood. This was framed also in the context of the erosion of the welfare state in cases where, for example, the state absolves itself from responsibility by allowing the sex industry to prevent dire poverty instead of providing adequate welfare. It was suggested that the gendered aspects of the hollowing out of social security, and how this contributes to gender-based violence, be considered in the Roadmap.

- Participants talked about **civil society, and civil society organisations, having been gutted/eroded under neoliberalism**, leaving civil society vulnerable to co-opting by business, exacerbating the problem of state capture by business. It was flagged that work on these issues without resources is impossible for civil society organisation considering: (a) the risk assessment; (b) research; and (c) holding organisations accountable, in other words resources are needed to enable women's and LGBTI+ civil society organisations to play their role in governance, including regulation of business with respect to human rights.

- Participants suggested the need to **address the role of international financial institutions** in perpetuating economic inequalities that disproportionately affect women, trans people, and gender non-conforming people, in all their diversity, by promoting approaches that push countries, especially countries in the Global South, to put profit over people through austerity measures, for example. It was suggested that privatisation of social services causes more harm to women, girls and trans people in all their diversity. Public-private partnerships, it was posited, often enable illicit financial flows and economic inequalities. These need to be re-evaluated to prevent reinforcing structural inequalities that underlie SGBV.

- **The impacts of Covid-19 on SGBV** were also discussed. Participants noted that more and more women are working from home in the pandemic. In the context where levels of intimate partner violence have increased dramatically during the pandemic, this increasingly becomes a 'workplace issue'.

2. **What did participants offer as recommendations for the UNWG's Roadmap for the next 10 years?**

- It was proposed that **the immediate challenge of SGBV against Indigenous women in the context of the natural resources sector be prioritised as a matter of urgency** by the Roadmap team, including finding ways to provide international partners/support and funds for access to remedy for the women impacted by these projects, e.g. to provide frontline human rights defenders with UNGPs capacity building and the ability to flee to safety if their lives are in danger. It was suggested that it could be

useful to create an action plan in line with the UNGPs to help women create avenues to participate in due diligence in this respect in the Asia Pacific region and elsewhere.

- There were calls for the UNWG to advocate that **SGBV become a larger part of business and human rights discussions**, and acknowledge that SGBV often functions as a barrier to women in accessing the world of work.

- Participants suggested to **strengthen the use of existing international frameworks (e.g. CEDAW)** in the next decade of UNGPs implementation, rather than reinventing the wheel. It was flagged that it will be important for the Roadmap process to include incorporating ILO Convention 190 on violence and harassment and its implementation as this would provide a broad framework to cover all workers, no matter their status – sector – formal or informal, with the right to work free from violence and harassment, including gender-based violence and harassment.

- Participants suggested that the Roadmap would need to address the new working from home space given Covid-19 and post-Covid-19 realities. This was seen as an opportunity for **redefining businesses and business models to fit women's realities**, meeting women where they are. For example, feminist Covid-19 recovery has been adopted in some countries, and these strategies could be drawn on going forward to seize the opportunity to improve things. There was discussion of the role of business in creating sustainable supply chains that are inclusive, so that 'the last girl' is included in a way that respects her human rights.

- It was suggested that the Roadmap help shift the language from 'we'd like you to do this', to demanding business changes in recognition of people's inalienable human rights – which are not optional, voluntary or charitable issues. Participants called for **accountability to be a key focus in the Roadmap**, including by translating the UNGPs in to concrete actions for states and businesses that take an intersectional approach to enable different people to make effective use of the UNGPs, across different sectors, for different purposes. This included calls for greater accountability of state and business actors for SGBV over the next decade.

- Participants suggested that the Roadmap process help **strengthen least developed countries' capacities to uphold the human rights of their citizens with respect to SGBV** in the context of business operations, not just in the workplace, but also in the communities where businesses operate. A focus on how laws are used against women and the impact of gender discriminatory laws was suggested as part of state duty to protect implementation, e.g. against street vendors and sex workers/people in prostitution. The issue of state corruption was raised and the need to also facilitate networks of progressive employers to address structural issues.

- It was suggested that **toxic masculinity in business and government** should be addressed, in consultation with women's rights organisations.

- A focus on **unpacking the role of SMEs** was suggested, including in conflict and post-conflict affected areas.

- Attention was called to the sex industry. It was proposed to **apply the UNGPs more rigorously with respect to the sex industry,** in particular to protect sex workers and sex trade survivors, and to avoid facilitation of trafficking, and the sexualisation and objectification of women. There was a call to connect academia and practice to find solutions to women's rights in the sex industry given that the UNWG Gender Guidance did not address the sex industry adequately. It was put forward that the sex industry is in breach of fundamental human rights, and has been identified as a form of violence against women in some research. Others noted that stigma and discrimination against sex workers/people in prostitution is high. Highlighting the legacies of colonisation, it was also stated that sex workers/people in prostitution do not have safe working conditions. It was noted that sex workers/people in prostitution in South Asia call their work '*dhanda*', which means 'business'. Participants discussed that the voices of sex workers/people in prostitution have to reach policy

makers. **Understanding and articulating how business benefit from sexual discrimination, gender inequality and SGBV,** was suggested as a focus over the next 10 years in the context of the Roadmap.

- **The importance of supporting women and LGBTI+ human rights defenders with respect to SGBV in business contexts** was recognised, along with remedial mechanisms, and overcoming barriers to remedy. It was noted that deep systemic discrimination prevents women from even taking on these forces, such that there is a need to talk about both specific, and also structural, barriers to access to remedy, as well as the issue of **pushback/backlash against feminism.**

- It was suggested that in many parts of the world **progress might be more likely working with networks of employers to address structural issues,** and it was expressed that the action needed now should be at the level of business and industry groups, networks and associations, and not just individual companies.

- There was a proposal for **companies to increase reporting on how/what they are doing on gender,** including where they are investing, which could be done through, among other things, further use of the UN Women's Empowerment Principles, and by drawing on gender-relevant data from UN and other human rights reporting.

C. **Care work**: This session explored the role of business and government with respect to the gendered and racialised nature of care work internationally, as it related to women's human rights, and to Covid-19.

1. **What did participants state were the key challenges with respect to gender, and gender equality, relating to business in the context of care work?**

- Participants acknowledged **the lack of recognition of paid and unpaid care work taken on by women and the contribution of this to economies and businesses. Women are often encouraged to stay outside the formal economy or reduce their role in it by taking on jobs such as domestic workers, home care workers or stay at home mothers. It was stated that while care is a common good, it is not recognised as such.** For domestic workers/migrant workers the employers are often not business licensed people, which makes it harder for domestic workers to access justice when their rights are violated. At the same time, domestic workers enable the formal economy and working as migrant domestic workers is seen as a way out of poverty in some countries. Participants noted that most of the domestic workers in Asia are in live-in arrangements at employer's houses and they do not have rights to a day-off. The living conditions and working conditions, are unilaterally decided by the employers without government regulation. In some contexts, these arrangements are decided by employer or country-to-country unilateral memorandum of agreement and are not a nationally regulated right. This is allowed, it was suggested, because business and human rights does not fully recognise the social reproduction role women play which underpins the formal economy as well as providing the low paid or unregulated care work that enables other women to engage in the formal economy. Recognising the **accountability gap with respect to informal workplaces**, where many women actually work, could be a big step forward for business and human rights implementation. There is a need for **better recognition and regulation around home care workers** who remain 'invisible' even in the business and human rights context.

- It was stressed that oftentimes**, care work is devalued:** It was reported that women do 10 trillion GBP worth of unwaged care work globally taking 12.5 billion hours. The political, cultural *and economic* value of care work is often invisible and overlooked and the notion of care work being done by women is often normalised. Paid care work – which often requires a high level of skill – is often perceived as unskilled labour.

- Participants also noted the impacts of **stereotyping of gender roles in care work**. Women are expected to do care work because they are women and it is assumed have the innate attributes and skills to perform it. Participants urged caution surrounding policies that may promote the stereotype of care work as women's work.

- Participants acknowledged that while the UNWG Gender Guidance raises awareness of women's unpaid care work, it was suggested that *how* care work prevents women from engaging in paid labour was not very well articulated. Participants noted situations where women's low pay prevents them from engaging in the labour market (difficultly paying for childcare and can make better financial sense to stay at home), highlighting the **fundamental importance of ensuring decent pay for care work of all kinds.**

- It was noted that **trade unions would be uniquely positioned to promote women's rights**, however, they are not, in part because **women are often not members of trade unions** – so their needs are not reflected. Additionally, issues that carers face are not raised inside companies because these are not typically viewed as labour issues, but rather are seen as external. There is a need to promote and enable women's active participation in trade unions to strengthen their collective bargaining.

- The UNWG Gender Guidance recognises the business-state nexus. However, it was suggested that the Roadmap could **make a clearer distinction between *unpaid* care work, largely done by women, and paid care work, also largely done by women on low wages**.

2. **What did participants offer as recommendations for the UNWG's Roadmap for the next 10 years?**

- **Focus on women's wages, sick days (paid sick leave) and redistribution of care work:** Participants suggested that policies that value the work women do make it more likely that they can enter the formal economy. For example, better wages allow women to afford to pay for childcare or other care services. It was noted that paid sick days for care is essential for keeping carers (mostly women) in the workforce. It was noted that state policies and company policies can directly impact who in the family does care work, pointing to the importance of focusing attention on this issue as part of both Pillar 1 and Pillar 2 of the UNGPs, in order to improve the equal sharing of care burdens. The aim should be to redistribute care work, as care work is essential to the sustainability of life and, as such, is a collective responsibility of individual household members, as well as the state and the private sector.

- There were also **calls for a care income and universal basic income** for those who provide society the public good of caring. Companies, who benefit hugely from unpaid care work, were called on to support these demands. Some participants noted that without care income the universal basic income will not shift the power balance at all and there will be no wage for the care work done by mothers and other carers. Therefore, first care income is needed they argued, and universal basic income in addition. While participants expressed that states should take a role in public provisioning of care service by investing in care infrastructure and formulating inclusive regulations, they warned that any measure taken by the government to ensure care responsibility should include providing care income to mothers and other carers in the family and community based on the recognition of the essential nature of the activities of caring which are often undervalued and invisible.

- Participants suggested that establishing the linkage between the UNGPs and care work would be useful. This could **place the care economy squarely on the agenda of business and human rights discussions**. Some areas of work could include:
    - **Elevating relevant voices:** Call for a global process (like ILO Conference) for informal women workers to demand accountability from business and employers. Consider adopting internationally agreed formula to calculate the living wage for informal workers. Integrate the voice of mothers, low wage workers and women on the ground who are doing unpaid/unwaged care work into business and human rights discussions and forums.
    - **Thought leadership:** Establish the idea of care income and universal basic income and tie it to the UNGPs as care is a common social good and should be the central concern of business and human rights discourse.

- Participants suggested that the UNWG could **draw from the important work already done by ILO in bringing unpaid and paid care work together.**

D. **LGBTI+ rights:** This session focused on the gendered impacts of business on people discriminated against based on their sexual orientation, gender identity and expression and sex characteristics.

1. **What did participants state were the key challenges with respect to gender, and gender equality, relating to business in the context of LGBTI+ rights?**

- **The intersection between discriminatory laws and business and human rights** was strongly highlighted by participants, e.g. the criminalisation of same sex relationships or being transgendered and how that affects issues of access, including to formal employment. For large businesses with extensive supply chains operating in countries with discriminatory legislation, it was raised that this poses challenges to respecting the rights of LGBTI+ employees without putting them at risk and contravening national law. It was noted by participants that identification of LGBTI+ staff and LGBTI-owned businesses are less visible in such contexts and this is often for safety reasons. Sharing of good practices among companies operating in such environments can also be challenging in light of the discriminatory laws and practices.

- It was reported that there is a growing narrative being pushed by anti-LGBTI+ groups, as well as groups seeking to divide LGBTI+ communities, that try to **frame LGBTI+ rights in opposition to women's rights**. This narrative is also reportedly being taken up by politicians in some country contexts, contributing to companies adopting the view that LGBTI+ rights and women's rights are opposed and require balancing. **Significant concern was expressed by confusion within the business and human rights field** about how to take a human rights-based approach to discussing this issue as it relates to business. There were calls for greater clarity about the fact that these rights are not mutually exclusive, particularly considering that impacts on LGBTI+ people relate to gender norms and stereotypes, and the transgression of those norms and stereotypes.

- **Mixed views were expressed regarding the UN Standards of Conduct on Tackling Discrimination against LGBTI People (LGBTI Business Standards).** Some participants held the view that the standards provide helpful language on LGBTI+ and protection in the context of business activities but noted that it is a problem that the standards do not carry the same normative weight as the UNGPs. Other participants suggested that the LGBTI Business Standards are not aligned with the UNGPs and paid insufficient attention to the involvement of trans people in their development. The view was expressed that the standards tend to focus more on protecting Global North employees travelling for work/secondments to high-risk regions, with little concern for LGBTI+ employees from that region; and that the 'sign-on' approach to the standards does not align with the UNGPs. Furthermore, participants commented that it is unclear how the standards have been taken up by the UN, brought into other work; and that there is a need for them to be expanded upon/updated, with more inclusive engagement and by **providing further concrete guidance for businesses on how to respect the rights of LGBTI+ people, including by addressing risks related to high-risk operating contexts**.

- Participants expressed the view that **the definition of gender in the UNWG Gender Guidance is problematic,** arguing that the Roadmap must be clear that gender is not only about women and girls but about all types of gender discrimination affecting cis women and men, girls and boys, and people who are LGBTI+. It was also noted by participants that the UNWG Gender Guidance calls for sex-disaggregated data, yet **focusing on sex has the risk of erasing trans and non-binary people,** or at least causing confusion, both of which will ultimately lead to inaccurate data. Also, grouping together LGBTI+ people as a cluster poses a risk of missing the detail and specificity of the different ways in which they can be exposed to risk.

- It was noted that **companies play a role in either perpetuating or correcting legacy discrimination in the societies in which they operate.** Specifically, it was commented that companies not having LGBTI+ people on staff should view this as problematic, i.e. as they would if people of colour and straight cisgender women were not represented. The example of a country adopting **trans quotas** for

government employees to address historic discrimination and exclusion from formal employment was noted as a leadership example.

2. **What did participants offer as recommendations for the UNWG's Roadmap for the next 10 years?**

- It was suggested that **all governments should have in place a non-discrimination framework and LGBTI+ risks should be considered across government agencies.** Participants commented that governments should also adopt incentives to encourage businesses to act with due diligence to respect LGBTI+ rights, with efforts adopting an intersectional lens in content and in process. Such frameworks should also include concrete steps to be taken by government and business actors to reduce barriers in law and in practice with regard to access to remedy for LGBTI+ people.

- It was suggested that the Roadmap should include a **more nuanced definition of gender,** to more clearly encompass the rights and issues faced by LGBTI+ people.

- There was a call for the Roadmap to highlight the need for **improved alignment and collaboration between the UNWG and OHCHR on LGBTI+ rights in the context of business and human rights**, as well as the other UN special procedures addressing LGBTI+ rights and issues, such as the UN Independent Expert on sexual orientation and gender identity.

- It was suggested that issuing a **specific UNWG report on LGBTI+ issues in business and human rights** could be useful, addressing topics such as:
    a) **The intersection of the state duty to protect and the corporate responsibility to respect** when it comes to LGBTI+ issues. For example, to address the structural discrimination that results in many LGBTI+ people being over-represented in the informal economy, invokes the state duty to protect against discrimination by making the link between discrimination in education and other social areas and how this relates to opportunities and barriers in terms of accessing formal employment.
    b) **Concrete guidance for companies on how to perform risk identification and prioritisation** in a way that does not simply place gender issues, including impacts based on sexual orientation, gender identity, expression, and sex characteristics into the bucket of 'discrimination'; but to look at the way in which people who are particularly vulnerable are put at risk across all human rights and sustainability issues. For example, social exclusion, including exclusion from higher education, of LGBTI+ people frequently leads to a high convergence of LGBTI+ people working in the informal economy, which places them in a vulnerable position in relation to all impacts, including but not limited to climate change. Participants pointed out that these types of dynamics need to inform risk identification, prioritisation and solutions; in particular considering that companies frequently prioritise other types of human rights risks, despite the fact that LGBTI+ people, especially trans people, may be at acute risk in global value chains. It was suggested that specific guidance on steps that companies can take to ensure that efforts on LGBTI+ rights do not have unintended adverse impacts through outing or exposing people in high-risk contexts might usefully be included.
    c) **How businesses can increase engagement with LGBTI+ people**, for example, by looking to regional caucuses on LGBTI+ rights when undertaking risk assessments – in recognition that national/local organisations may not exist in high-risk countries – to bring lived experiences and link to what is happening on the ground in those regions; premised also on genuinely hearing from LGBTI+ people as to their situation and needs, to be guided by their realities and preferences and work to understand and address the concrete human rights risks faced by them.
    d) **The root causes of discrimination against LGBTI+ people** and the role that companies can play in addressing these, e.g. through using their leverage to influence and shape social and legal norms to respect the rights of LGBTI+ people. Participants commented that critically, such efforts need to go beyond simply hosting 'Pride' parades and other marketing tools but provide meaningful guidance on what business responsibility *is* in this regard. There is also a need for more specific guidance on how companies can work with local human rights defenders and use their leverage where appropriate.

E. Energy transition and climate change: This session focused on both the gender-based human rights impacts of climate change and the potential for gender-based human rights impacts within the transition to renewable energy.

1. **What did participants state were the key challenges with respect to gender, and gender equality, relating to business in the context of the energy transition and climate change?**

    - Participants discussed that the energy transition, while requiring the ceasing of coal extraction and focusing on low carbon energy systems, requires a significant **increase in other types of resource extraction** (e.g. lithium, batteries, iron ore and bulk commodities). It was suggested that businesses are not paying enough attention to what they are unleashing in undertaking the energy transition particularly as relates to human rights.

    - For women in the Global South, particularly in mining communities, participants said there will be more resource extraction and broad social and environmental risks. In the Pacific, **it is anticipated that there will be devastating impacts of climate change coupled with additional burdens from natural resource extraction projects.** From a gender perspective this raises concerns about land use, environmental protection and other issues. An experience with wind parks installed without respecting the Free Prior and Informed Consent (FPIC) of local communities was shared, noting that the installation was specifically missing a gender perspective, as consultations were not available to women given their care work tasks. The experience expressed is that these types of projects have the additional negative impact of dividing communities between those who are in favour and those who are not in favour, and that companies contribute to the context of conflict and violence in the area of wind park installation. An example was given of a wind park situated in a country that does not have a mandatory human rights due diligence law in place to establish procedures for the companies involved. **A focus now should be, it was argued, on mandatory human rights due diligence in geographical areas where resource extraction is expected to accelerate**.

    - There was a call to **focus on the reasons that the energy transition is needed** – and guaranteeing rights (including those that would be impacted by climate change as well as those that would be impacted by the transition) versus allowing businesses to profit. A wider societal transition was called for – climate change will increase if nothing is done. Key questions brought up include how and where the projects take place as well as size. Problems, it was argued, are caused when there are major projects in places that do not have regulation to control them. Participants stated that timing is also important – currently the energy transition is on an accelerated timeline, so looking at gendered issues around the energy transition has become even more urgent. According to participants, accelerated timing in major infrastructure or natural resource extraction projects have in the past come at the expense of thorough due diligence. **Climate, it was stated, should be forefront for the UNWG** and should be perhaps the subject of a specific area of work and guidance, along the lines of the UNWG Gender Guidance.

    - Participants expressed that the focus of the just transition should also be **access to energy, which must be looked at as a human right** – projects should benefit local communities, especially vulnerable populations such as women, and companies should ensure that energy is being distributed across regions in an equitable manner.

    - While some said it is somewhat easier for women to be employed in renewable energy than in the traditional oil and gas sector, participants still saw similarities, and noted that **women are often in administrative or low-paying jobs within the renewables sector.** This is exacerbated, they noted, by the fact that women often lack or are denied the education, training and technical skills for more gainful employment, particularly within the realm of science, technology, engineering and mathematics (STEM).

    - With a large existing gap in accountability with respect to gender inequality (with few women in leadership positions), the livelihoods of women who live off the land may be endangered participants

stated. **The transition from fossil fuels can reproduce existing inequalities unless human rights due diligence (including through a gender lens) is ensured.**

- **Participants argued that the energy transition poses risks as well as opportunities to write new rules of the game.** Companies, they said, in particular, need practical guidance.

2. **What did participants offer as recommendations for the UNWG's Roadmap for the next 10 years?**

- There were calls for **greater monitoring and accountability mechanisms** regarding companies' performance in the transition (including an accessible depository of pending cases) and activating investors in this direction.

- There were calls for **gender-mainstreaming groups within companies**. It was noted that there is a need for women to be represented within corporate oversight mechanisms, and that doing so will enhance the likelihood of climate and gender concerns being integrated into the oversight process.

- It was proposed that the UNWG could:
  a. Elevate the need for corporate group-wide gender equality policies and advocate for the need for them to be enforced and monitored;
  b. Focus on the need for states to ensure women's land tenure, the impacts of projects on livelihoods (with a focus on SGBV) and identifying cumulative impacts, as well as placing more emphasis on the idea of no reprisals against, and protections for, those who call out human rights issues;
  c. Focus on mid-size companies, instead of only large multinational enterprises;
  d. Advocate that gender impact assessments be stand-alone (as opposed to integrated in other impact assessments) because right now there is a need to focus on this issue and strive to find solutions before integrating into ordinary processes (looking to good practice impact assessment law to pull in lessons);
  e. Be more explicit about what a 'gender lens' means in the context of human rights due diligence;
  f. Call attention to the need to rethink business models; and
  g. Work with civil society to push for further due diligence legislation in domestic jurisdictions.

- There was a call for **gender responsive laws** and the need to empower women and girls with skills to ensure that they have voice in the energy transition so that no one is left behind – including training women through STEM initiatives, opportunities and exchange programmes for women who may be self-employed.

- It was suggested that the UNWG could endorse ILO recommendations on maternity leave and provide **guidance on how to assess companies' endorsement of and compliance with ILO recommendations.**

F: Human rights defenders and remedy: This session focused on the gender-based human rights impacts experienced by human rights defenders and the (lack of) remedy available to them, including a focus on SGBV.

1. **What did participants state were the key challenges with respect to gender, and gender equality, relating to business in the context of human rights defenders and remedy?**

- It was suggested that gender-based frameworks of analysis need to be **actively inclusive of the experiences of all women,** as well as others who face gender-based violence, such as trans men.

- It was noted that **the business and human rights space is not focused on women workers or labour activists as human rights defenders, and as vital to business and human rights**, rather than a strategy to ensure businesses are involved in human rights due diligence. Participants expressed the view that women labour rights organisations need to have a voice in the Roadmap process and implementation, including by taking an intersectional approach that recognises the voices of Indigenous women and women with disabilities.

- On the issue of barriers to access to remedy, it was discussed that **women human rights defenders face specific risk as a result of challenging not only businesses but also cultural norms and expectations**. The challenges, it was expressed, are therefore not just about lack of access or affordability but about the role of cultural norms and expectations in relation to remedy. The lack of understanding among many business and human rights actors about how gender explicitly inhibits and shapes the work of women business and human rights activists was also pointed out.

- Another prevailing barrier noted is that **women human rights defenders are very often marginalised within remedy processes**, even when they are the ones facing the greatest challenge or are the ones initiating a course of action.

- Participants discussed that **gender is often seen as a 'soft issue'** that requires just 'good practice,' rather than something that requires expertise and sustained technical involvement within businesses. There were calls for a technical framework, or a more rigid set of standards that offer businesses a clear way of operating human rights due diligence with regard to gender. This would require specialist expertise combining gender and business and human rights knowledge and practice. It was also noted that the problem of gender as a 'soft issue' is not going to be fixed until there are more women in power, particularly those who are directly impacted by the harm or violation in question.

- Participants highlighted the increasing use of **strategic litigation against public participation** (SLAPPs) targeting women human rights defenders in the context of business and human rights. It was noted that companies can stifle voices and bog people down with whole legal departments who create litigation that trap individuals/small organisations in legal processes. It was suggested that attention needs to focus on a fairer way to process litigation specifically targeting women and LGBTI+ human rights defenders who are often prevented from doing their work in the face of SLAPP suits.

- **Traditional business models** were also noted as a challenge, including within the field of technology, as the provisions of services such as healthcare has become encroached in the 'profit driven principle' and efficiency. Participants presented the view that technology and its associated production needs to be modelled to women's needs.

- **Concerns were also raised about the voluntary nature of the UNGPs**, with some participants noting that the responsibility to respect was akin to self-regulation and pointing out examples of businesses reporting on their progress or actions in relation to select human rights, rather than holistically, e.g. technology companies only reporting on freedom of expression, without an assessment of their responsibility with regard to other human rights. Participants highlighted the need that businesses respect human rights holistically and with respect to their indivisibility; and that governments need to provide the necessary oversight to ensure that businesses do so.

- **The intersection between inadequate human rights due diligence and access to remedy was also highlighted.** For example, participants discussed the case of a garment worker who was raped and murdered after months of sexual abuse and harassment. It became apparent that the due diligence process was not fit for purpose, as many women had complained about sexual harassment, but this had not been picked up by either external or internal auditors. Participants stressed that events like this cannot continue to happen, and a more comprehensive due diligence approach that addresses the specific sector risks could allow for more focused recommendations from 'on the ground' events, that ensure women and gender marginalised communities' experiences are truly reflected in operations and remedy mechanisms.

2. **What did participants offer as recommendations for the UNWG's Roadmap for the next 10 years?**

- It was stated that the UNWG Gender Guidance leaves gender and due diligence to interpretation and more specificity would be needed in the Roadmap. **It was suggested that a technical paper from cross sectorial workers, which offers best practice and clear understandings of gendered impacts would be helpful.** It was specified that practical steps from diverse working group stakeholders could usefully

contribute to developing a system of sector-specific technical proposals to aid those working in gender, business and human rights. In light of the way issues are interconnected, a **'general working paper'** for practitioners that includes a holistic, rights-based approach to gender and business could be developed, that would then allow specific industry groupings to build on this.

- Participants suggested that **to be successful a sexual harassment remediation procedure requires a distinct office that sits alongside the human resources department that facilitates claims**, with staff that are gender sensitive and the mandate and capacity to challenge sexual violence and harassment from all levels of the business hierarchy.

- It was suggested that diverse **business and human rights stakeholders should pay increased attention to the UNWG Gender Guidance and use it more actively,** e.g. governments in national action plans processes, and civil society, to bring together the gender equality movement and business and human rights agendas. This should include, it was argued, an emphasis on the indivisibility of human rights and a call for businesses to consider their impact on human rights holistically, rather than selectively – and with government oversight.

- Participants discussed that the Roadmap could specify that women and LGBTI+ human rights defenders suffer disproportionately particularly in situations of impunity, and in local settings where it is unlikely that obligations will be respected by institutions. States could be asked for **a commitment to proactively address the challenges faced by women human rights defenders, and to adopt clear, robust, transparent and accountable measures to comply with their extraterritorial obligations.** In conflict situations, the UNWG can highlight the imperative that conflict sensitivity is operationalised and there is substantive commitment to address the intersection of conflict, impunity and threats against women. On the company side, it was suggested, the UNWG can encourage transparency of due diligence processes.

- It was suggested also that the UNWG could **identify the gender dimensions of the effectiveness of grievance mechanisms/remedy and mental health.** Beyond the challenges of effectives remedy for mental harm due, for example, to SGBV, there was a call to look into the mental health harm potentially caused by the very process used to try to obtain remedy. Key remedial principles in international standards, UNGPs, the UNWG's report on remedy, and the OHCHR's Accountability and Remedy Project all state **the core principle of 'causing no further harm in the process of remedying the initial violation.'** It was noted that in other areas of remedy, like transitional justice and litigation, that risks to the victim seeking remedy *can* include many forms of retraumatisation (including triggering of PTSD), increasing a harm and vulnerability cycle.

- Participants also called for the Roadmap to **re-iterate the obligations of states and businesses with regard to the rights of women human rights defenders in conflict-affected areas**, where there is often impunity. Here, there was a call for a commitment to ensuring that states (including home and host states) as well as businesses proactively address the challenges faced by women human rights defenders and adopt clear, robust, transparent and accountable measures to protect and respect human rights, including in the context of extraterritorial dimensions.

- Moreover, an opportunity was identified for the Roadmap to set requirements for gender-responsive due diligence encompassing global supply chains, including in the **development of gender-responsive mandatory human rights due diligence measures.**

V.   Conclusion

The co-organisers wish the UNWG the best of luck in pursuing their Roadmap for the UNGPs 10+ project. We hope that this consultation has provided some key insights for ensuring the next 10 years of UNGPs implementation is effective, inclusive and meaningful for all peoples, and the realisation and enjoyment of their human rights.