

3 April 2020

## **Vulnerable workers in supply chains need urgent protection to survive impact of Covid-19**

*IDSN Statement* - We strongly urge governments and companies with supply chains in South Asia, to take measures to urgently protect migrant and informal workers, including Dalits, against a loss of income, social benefits, shelter and a means to feed themselves and their families, as Covid-19 measures and repercussions threaten their lives and livelihoods.

These workers often have no social protection schemes, are paid by the day or piecemeal and at so low rates that they have no savings or other means of supporting themselves, when they lose their jobs from one day to the next. In addition, Dalits, as well as other marginalised communities, often suffer discrimination in access to resources and relief when disaster strikes in their countries and companies. Governments therefore need to pay special attention to these groups in India, Pakistan, Bangladesh, Nepal and Sri Lanka.

In India, these communities make up the majority of the 120 million migrant workers who in enormous numbers and next to no notice, lost their source of income because of the Covid-19 lockdown and are now heading, often by foot, to their native villages where they may face starvation with severe impacts for their health and immune system.

According to the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Companies, both, content-wise, based on the UN core human rights treaties and ILO fundamental conventions, globally operating companies have the responsibility to ensure the rights of all workers in their supply chain. Governments have the duty to ensure that companies abide by these norms. Together they have to provide remedies in cases of violations of these rights. Moreover, extraterritorial obligations of States imply the protection of rights of workers involved in the Asian supply chains of these States' parent companies.

Many vulnerable workers in supply chains are already exposed to forced and bonded labour, dangerous work, long working hours, very low wages, discrimination and are without work or income security. The Covid-19 crisis only increases and deepens the negative impact of these conditions on the precarious lives of these workers. Governments and companies must now step up to the plate to protect workers who risk getting ill or dying as a result of their lack of labour and social protection combined with the adverse impacts of measures to stop the spread of Covid-19.

The impact of Covid-19 goes far beyond initial emergency aid and healthcare alone, though they are crucial, but also relates to the rights of all workers as agreed by nations in the [International Labour Standards](#) of the ILO. The Migration for [Employment Convention \(revised\) No. 97](#) e.g. obliges governments to maintain appropriate medical services for migrants, including medical testing (e.g. for Covid-19) and good hygienic conditions. They also have the right to accurate information and prevention of health risks.

## **We therefore urge globally operating companies to:**

1. Commit to pay orders of already produced goods or goods in production and to continue the relationship whenever possible, as well as show maximum flexibility if suppliers cannot deliver the contracted orders (in time) because of Covid-19;
2. Make sure that wages or adequate severance payments continue to be paid by suppliers to all workers, including migrants and other contract and informal workers, especially when local governments are unable or unwilling to step in;
3. Support – when needed – the provision of health care, food and other basic necessities as well as health and safety measures – including soap and clean water - by or in cooperation with suppliers for all victims of Covid-19 and other workers in your supply chain;
4. Support the implementation with your suppliers of the [WHO's recommendations and health and safety guidance](#) to protect workers from Covid-19;
5. Make sure – including through social dialogue with representatives of Dalits or other migrants and informal workers - that they are not discriminated against in any of the measures taken to alleviate the present conditions of migrant workers;
6. Work in close contact and dialogue with your suppliers on measures to alleviate the concerns of all affected workers, in line with all relevant ILO *International Labour Standards*;
7. Encourage and support targeted policies aimed at stopping the spread of Covid-19 to the particular housing and living conditions of communities where many Dalit workers live. Since Dalit communities and living quarters are densely populated without basic facilities such as water and sanitation, sourcing companies should contribute to regular health camps for treatment and screening purposes and access to clean water, especially now;
8. In the context of the OECD Guidelines and UN Guiding Principles, the new [ETI Guidance on Caste in Global Supply Chains](#) and the [Ambedkar Principles and Guidelines to address Caste Discrimination in the Private Sector](#) are tools that can be used to assess if the rights of Dalits and other minority groups are being violated.

## **We urge governments to:**

1. Urgently demand that companies implement the [OECD Guidelines for Multinational Companies](#) and the [UN Guiding Principles on Business and Human Rights](#), with an extra focus on the provisions relating to the Covid-19 crisis;
2. Reinforce the commitment to comply with their obligations arising out of the UN core human rights treaties and ILO fundamental conventions, including if emergency measures are to be applied, or consider the ratification of one or more of these instruments;
3. Request companies to work with their suppliers to mitigate the impact of the crisis on migrant, contract and other vulnerable informal workers, the majority of whom are Dalits, indigenous people, and other marginalised groups. Focus your request on the above-mentioned recommendations to companies;

4. Take an effective gender perspective in all policies relating to the Covid-19, labour and supply chains;
5. Encourage and support that high-risk communities such as migrants, including Dalits, are included and addressed in global, national and local responses to Covid-19 aimed at workers in supply chains. This can save millions of lives;
6. Initiate and support national and international financial commitments to take care of the immediate food, clean water, shelter and health needs, income support and safe places for migrant and/or other workers in the supply chains of globally operating companies;
7. Put in mandatory human rights due diligence requirements establishing a corporate duty to respect human rights and requiring companies to identify, prevent, mitigate and account for abuses and harm in their domestic and global supply chains and operations
8. Make clear to companies under their jurisdiction that the protection of human rights in the context of implementing the UN Guiding Principles on Business and Human Rights, and the UN core human rights treaties, should also deal with the structural violations of the rights of Dalits in global supply chains;
9. In the spirit of the SDGs, take an inclusive approach towards Dalits and other minorities in the national recovery efforts, by reinforcing relevant treaty ratification and observance of the UPR recommendations, improving legislation and monitoring of instances of labour abuses, combating the worst forms of labour and effectively implementing a decent work agenda, in close consultation with these groups;
10. In the spirit of the SDGs, consider Dalits and other minorities as agents of change in order to improve their labour standards vis-à-vis their situation before the Covid-19 pandemic, through the formalisation of labour agreements, the reinforcement of social security systems and safety networks, the combating of stigma and stereotypes in the context of work, vocational education and training, union representation and other forms of participation of Dalits in the formulation of labour norms and standards.

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