

GENDER ASPECTS OF THE GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS

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Radical changes in gender policy arose on the world stage in the 60s of the XX century after the sexual revolution of the “second wave” of feminism. Since then, most countries of the world have made significant changes to national legislation aimed at equalizing the rights of men and women in all spheres of public life. But the problem of discrimination against women in various spheres of life is still there. Now we are witnessing the emergence of new relationships in the international arena - human rights and business. As noted the Working Group on the issue of human rights and transnational corporations and other business “Women experience adverse impacts of business activities differently and disproportionately. They may also face additional barriers in seeking access to effective remedies. However, neither states nor business enterprises have paid adequate attention to gender equality in discharging their respective obligations and responsibilities under the Guiding Principles” [2]. That is why women require additional protection in business.

Purpose of the article: to study Gender guidance for the Guiding Principles on Business and Human Rights and to analyze the possibility of implementing these principles in the Belarusian legislation.

Material and methods. The following observations are based on the study the Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises (12 July 2019) and The UN Guiding Principles on Business and Human Rights.

For the analysis of the collected material were used method of analysis, method of synthesis and comparative legal method.

Findings and their discussion. The UN Guiding Principles on Business and Human Rights endorsed by the UN Human Rights Council in June 2011. Principles include general requirements for states to protect human rights in business. These requirements include three elements: protection, compliance, and remedies. A person acts as a subject, without reference to gender. But over time, it became clear that women require additional protection in business. After all, established gender stereotypes make them vulnerable categories in this area of public life. So in summer 2019 The Working Group on the issue of human rights and transnational corporations and other business enterprises developed Gender guidance for the Guiding Principles on Business and Human Rights. They include 31 principles for the additional protection of women's rights.

The main goals are to provide appropriate and corporate recommendations on gender mainstreaming. Working Group on the issue of human rights and transnational corporations and other business enterprises proposes a three-stage gender system:

- 1) gender responsive assessment;
- 2) gender transformative remedies;
- 3) gender transformative measures.

We see that this system is aimed at two main subjects: the state and business. Thus, the state should first of all bring laws into line with international standards in the field of protecting the rights of women and give women effective protection. Principle 1 states: “States must take appropriate steps to ensure that all business enterprises operating within their territory and/or jurisdiction respect women’s human rights. All State policies, legislation, regulations and adjudication to prevent, investigate, punish and redress all forms of discrimination, harassment and violence against women should integrate the gender framework and guidance for the Guiding Principles on Business and Human Rights” [2]. Also a very important point: states should provide enterprises with appropriate guidance on how to effectively address, in particular, gender issues, recognizing the specific problems women may face.

Business, in turn, must eliminate discrimination against women in all aspects of employment, including the wage gap between men and women. Unhindered access for women to leadership positions is needed. Corporate advertising should avoid promoting sexual stereotypes.

It should be noted, that the Working Group on the issue of human rights and transnational corporations and other business enterprises calls on states and businesses to control each other. For example, the existence of a discriminatory law does not mean that a business must comply with this law.

In order to eliminate all forms of discrimination against women and achieve substantial gender equality, states and commercial enterprises should work with women's organizations and all other relevant actors to ensure systematic changes in discriminatory power structures, social norms and a hostile environment that impede women's equal rights and human rights in all areas.

How to make the Gender guidance for the Guiding Principles on Business and Human Rights work in the Republic of Belarus? In general, the legislation of the Republic of Belarus is based on the principles of equality of men and women and does not contain norms that directly or indirectly discriminate against citizens on the basis of sex. Our state has signed the Convention on the Elimination of all Forms of Discrimination Against Women, as well as ratified the Optional Protocol to this Convention. The main document defining the state gender policy of the Republic of Belarus and the priority directions for its implementation is the National Plan of Action for Gender Equality in the Republic of Belarus for 2017 - 2020 (hereinafter - the National Plan). However, there are currently no specific points in the National Plan that regulate the rights of women in business. We believe that the next National Plan should be adopted taking into account the provisions on the Guiding Principles on Business and Human Rights.

Conclusion. A globalizing world presents us with new challenges. There are new areas of life that are not yet fully regulated by law. But there are things that

remain constant. For example, issues of discrimination against women. When we say that it is necessary to resolve the protection of human rights in business, we must separately discuss the situation of vulnerable groups. That's why the Working Group on the issue of human rights and transnational corporations and other business enterprises were accepted the Gender guidance for the Guiding Principles on Business and Human Rights. We believe that following these principles will help protect women's rights in business. And the Republic of Belarus needs to be implemented the Guiding Principles on Business and Human Rights by adding them to a new National Plan of Action for Gender Equality.

1. The UN Guiding Principles on Business and Human Rights [Electronic resource]: approved Human Rights Council resolution 17/4 of 16 June 2011 // United Nations. - Access mode: https://www.ohchr.org/DODuments/Publications/GuidingPrinciplesBusinessHR_EN.pdf - Access date: 27.11.2019.
2. Gender dimensions of the Guiding Principles on Business and Human Rights [Electronic resource]: approved to the Human Rights Council resolutions 35/7 of 12 July 20192011 // United Nations. - Access mode: https://www.business-humanrights.org/sites/default/files/documents/A_HRC_41_43.pdf - Access date: 27.11.2019.

INDICATORS FOR ASSESSING THE EFFECTIVENESS OF THE SYSTEM OF REGION HUMAN POTENTIAL FORMATION

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The formation of high-quality human potential of states is constantly taking place against the background of social problems in the context of the global economic crisis. Financial resources are limited in almost all countries. At the same time they could solve these problems. This encourages the search for new ways to use and distribute these resources effectively. Investments in the development and improvement of human potential could play an important role in solving social problems and contribute to sustainable economic growth and development of the state. The formulation of a system of indicators to assess the effectiveness of human potential could be the basis for the development of a rational model of using the financial resources that are directed to its formation. All this caused the relevance of the research topic.

The purpose of the study: to characterize the essence of the category “human potential” and to determine the indicators of its assessment at the regional level.

Material and methods. The scientific research is based on the works of domestic and foreign scientists, as well as analytical data of the national and international statistical agencies. The study used the following scientific methods: cognition, analysis and synthesis, comparative analysis.