

Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Working Group on the issue of human rights and transnational corporations and other business enterprises; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Independent Expert on human rights and international solidarity

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(Please use this reference in your reply)

10 March 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the rights to freedom of peaceful assembly and of association; Working Group on the issue of human rights and transnational corporations and other business enterprises; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and Independent Expert on human rights and international solidarity, pursuant to Human Rights Council resolutions 59/4, 53/3, 52/9 and 53/5.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **alleged abuses against employees of the Starbucks Coffee Company since 2021, in the context of workers' efforts to unionize. The alleged ongoing and widespread union-busting campaign perpetrated by Starbucks and its mid- to high-level representatives includes threats, harassment and intimidation against staff members associated with or campaigning for union activities.**

In 2021, Starbucks employees in stores around the United States began to organize trade unions and to seek collective bargaining with management. Since December 2021, workers in more than 650 Starbucks stores have voted in favor of union representation, and over 12,000 Starbucks employees have organized.

According to the information received:

The efforts of its employees to unionize have been met by Starbucks with an aggressive campaign of intimidation and interference with workers' organizing and bargaining efforts. Various aspects of this alleged anti-union campaign have been widely reported. To date, Starbucks has reportedly fired hundreds of union activists and has been accused of retaliating against many more in different ways. Starbucks' alleged anti-union actions, described in more detail below, were described by one National Labor Relations Board (NLRB) administrative law judge as "egregious and widespread misconduct demonstrating a general disregard for the employees' fundamental rights." Still other cases appear to demonstrate the organized, top-down approach of the anti-union campaign. Such cases include reports of managers being told to punish employees supporting the Union or being instructed to go through employees' files to find something that could be used against them.

The union-busting campaign has allegedly been ongoing for over four years, yet Starbucks has still not entered into a collective bargaining agreement with the Union. According to the information received, Starbucks has also been involved

in a number of incidents of wrongful police action against Starbucks workers on strike, as described below.

In response to the alleged ongoing union-busting and the company's reluctance to enter a collective bargaining agreement, US Starbucks workers launched a nationwide strike authorization vote at the end of October 2025. On 5 November 2025, the Union announced that 92 per cent of baristas had voted in favor of a nationwide strike. On 13 November 2025, more than 1'000 baristas in over 40 cities across the US launched an unfair labor practice strike.

Below follows an overview of cases of alleged violations of the rights to peaceful assembly and association which were brought to our attention in the context of these strike activities. With the exception of the incidents in Anderson, South Carolina, all incidents occurred in the context of the Union's 2025-2026 Unfair Labor Practice strike.

Anderson, South Carolina

In August 2022, a Starbucks manager allegedly coordinated with corporate management to call the police on workers who were peacefully engaged in a "March on the Boss" at a Starbucks store in Anderson, South Carolina. Starbucks allegedly falsely accused the workers of kidnapping and assault and sought an arrest warrant against the workers. The police confirmed that the allegations were false. The workers filed suit against Starbucks and the manager for defamation and abuse of process. After defeating a motion to dismiss on the basis of the National Labor Relations Act (NLRA) preemption, that case is now in arbitration. Discovery has not yet opened.

The Union also filed an unfair labor practice charge over the subsequent firing (see 10-CA-300921) of the afore-mentioned workers. Evidence obtained as part of that case showed that a Starbucks "Behavioral Threat Assessment" officer allegedly communicated with the store manager and the Anderson sheriff's office in an attempt to have the workers arrested and charged.

Buffalo, New York

In November 2023, a store manager allegedly called the police on Starbucks workers engaged in peaceful handbilling outside a store in Buffalo, New York. The police responded and directed the handbillers to leave Starbucks' property.

The Union filed an unfair labor practice charge. An administrative law judge found Starbucks violated the NLRA to the extent that it sought to have Starbucks workers removed from its property, but also held that it was appropriate for Starbucks to have non-Starbucks worker handbillers removed from its property (see Starbucks Corp., JD-29-25, 03-CA-329453, 2025 WL 1014460 [Apr. 3, 2025]).

Clifton Park and Buffalo, New York

In mid-late November 2025, the New York State Police and/or the Saratoga County Deputy Sheriffs were allegedly called on peaceful picketers at the Clifton Park store location on a daily basis, and each time confronted the picketing employees. In addition, the store manager reportedly recorded picketers without legitimate reason for doing so. The Union has filed an unfair labor practice charge over this (see 03-CA-375881).

In Buffalo, a Starbucks store manager is said to have called the police on peaceful picketers as well.

Gresham, Oregon

From approximately 13-20 November 2025, a store manager allegedly called the police at least three times on peaceful picketers at a store in Gresham, Oregon. The workers were picketing along the sidewalk and set up a small canopy in a parking space next to the strip of grass that separates the parking lot from the road. The parking space reportedly did not have a sign reserving it for Starbucks customers, nor anyone else.

Each time the manager called the police, it was explained that the striking workers were not violating any law, and that they in fact had a legal right to strike and picket. Nonetheless, the manager persisted in repeatedly calling the police on the strikers.

On or around 20 November, the workers also started leafleting cars in the parking lot, informing potential customers of the strike. The manager allegedly threatened to call the police on the leafleteers as well. In addition, the manager is alleged to have unlawfully interrogated workers about their strike activities, and threatened workers with unspecified reprisal if they participated in the strike. The Union filed an unfair labor practice charge over this (see 19-CA-375626).

Baltimore and College Park, Maryland

In mid-December 2025, the police were allegedly called on strikers peacefully picketing outside a Starbucks store located in an outdoor shopping plaza/strip mall in Baltimore, Maryland. The workers were picketing right outside the store, which is technically the shopping plaza's private property. The workers were reportedly not blocking the entrance, were not chanting, there was no loudspeaker, and they were not engaged in misconduct of any kind.

Property management appears to have called security and the Baltimore Police Department. The Union's local attorney explained to the responding officer that the workers had the right to picket where they were.

The officer is alleged to have responded by saying something to the effect of "the paddy wagon" was on its way and all the workers would be arrested, despite

not issuing an order to disperse first. When the Union's local attorney asked for the basis of the arrest, the officer reportedly indicated loitering.

The attorney then informed the workers that they were facing arrest despite an apparent lack of legal justification, upon which they decided to move to the public right-of-way to avoid being arrested. The attorney then filed a complaint with the Baltimore Police Office about the police officer's conduct and also raised the issue with Baltimore Councilwoman [REDACTED].

On 19 December, police were reportedly called to a Starbucks store in College Park, Maryland, responding to a complaint that the picketers were blocking the door. The police initially told the picketers that they could stay where they were, but after speaking to property management, allegedly informed them that they had to move from mall property to the public right-of-way.

Colorado Springs and Fort Collins, Colorado

The Fort Collins, Colorado store manager reportedly called the police on peaceful picketers on 4 and 5 December 2025. On 5 December, the Starbucks store manager allegedly called the police complaining about the use of a sound amplifier to lead pro-union chants outside of the store. The police reportedly detained a Starbucks employee and picketer and, after further conversations with the Starbucks store manager, issued a summons to the worker for violating a Fort Collins noise ordinance prohibiting "unreasonable noise."

Police have also been called to two Starbucks Colorado Springs locations, at Woodmen Road & Marksheffel Road and Garden of the Gods. At the Garden of the Gods store, the Starbucks store manager allegedly threatened to call the police, providing a letter from Starbucks corporate outlining the noise ordinance and applicable fees. On 19 December 2025, the Garden of the Gods store manager allegedly called the police on peaceful picketers outside.

Wilmington, North Carolina

On or around 11 December, police were allegedly called on picketers at a Starbucks store in Wilmington, NC. The picketers moved to a patch of grass after allegedly being told by police that they could not be on Starbucks property; but were told again that the area was private property, so they ended up moving to a small sidewalk nearby.

It is worth noting that Starbucks' alleged anti-union campaign, as illustrated by the above instances, has also been found to violate domestic legal frameworks. It was brought to our attention that the government agency responsible for enforcing labor law in the United States has frequently found that Starbucks has violated laws designed to protect workers (see for example 125 F.4th 78 [3d Cir. 2024]; 99 F.4th 1118 [9th Cir. 2024]; 24-1123, 2025 WL 1135120, at *1 [D.C. Cir. Apr. 17, 2025]; 23-1171, 2024 WL 1319142, at *1 [D.C. Cir. Mar. 28, 2024]; 657 F. Supp. 3d 1002 [E.D. Mich. 2023], appeal dismissed and remanded, No. 23-1187, 2024 WL 1495038 [6th Cir. Apr. 3, 2024]; No. 32-CA-292897 2024 WL 5168491; 374 NLRB No. 14; 374 NLRB No. 10; 374 NLRB

No. 9; 374 NLRB No. 8; 373 LRB No. 140; 373 NLRB No. 135; 373 NLRB No. 123; 373 NLRB No. 115; 373 NLRB No. 111; 373 NLRB No. 105; 373 NLRB No. 101; 373 NLRB No. 90; 373 NLRB No. 83; 373 NLRB No. 75; 31-CA-296700, 2024 WL 3422012; 373 NLRB No. 53; 373 NLRB No. 48; 373 NLRB No. 44; 01-CA-299987, 2024 WL 1832224; 373 NLRB No. 45; 373 NLRB No. 33, vacated and remanded by 140 F.4th 971 [8th Cir. 2025]; 373 NLRB No. 44; 01-CA-299987, 2024 WL 1832224; 373 NLRB No. 45. In addition to the decisions issued by the NLRB, since 12 October 2022, administrative law judges have found that Starbucks has committed approximately 488 separate violations of the NLRA in approximately 70 separate decisions). In the United States, workers' rights to freedom of association and to engage in activities for mutual aid and protection are enshrined in the National Labor Relations Act (NLRA). 29 U.S.C. paras. 151-169. Section 7 of the NLRA states that:

Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and shall also have the right to refrain from any or all of such activities except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employment as authorized in section 158(a)(3) of this title.

Violations of the NLRA are called unfair labor practices (ULPs). According to Section 8(a) of the NLRA:

It shall be an unfair labor practice for an employer –

- 1) to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 7 [section 157 of this title];
- 2) to dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it: Provided, That subject to rules and regulations made and published by the Board pursuant to section 6 [section 156 of this title], an employer shall not be prohibited from permitting employees to confer with him during working hours without loss of time or pay;
- 3) by discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization: Provided, That nothing in this Act [subchapter], or in any other statute of the United States, shall preclude an employer from making an agreement with a labor organization (not established, maintained, or assisted by any action defined in section 8(a) of this Act [in this subsection] as an unfair labor practice) to require as a condition of employment membership therein on or after the thirtieth day following the beginning of such employment or the effective date

of such agreement, whichever is the later, (i) if such labor organization is the representative of the employees as provided in section 9(a) [section 159(a) of this title], in the appropriate collective-bargaining unit covered by such agreement when made, and (ii) unless following an election held as provided in section 9(e) [section 159(e) of this title] within one year preceding the effective date of such agreement, the Board shall have certified that at least a majority of the employees eligible to vote in such election have voted to rescind the authority of such labor organization to make such an agreement: Provided further, That no employer shall justify any discrimination against an employee for non-membership in a labor organization (A) if he has reasonable grounds for believing that such membership was not available to the employee on the same terms and conditions generally applicable to other members, or (B) if he has reasonable grounds for believing that membership was denied or terminated for reasons other than the failure of the employee to tender the periodic dues and the initiation fees uniformly required as a condition of acquiring or retaining membership;

- 4) to discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this Act [subchapter];
- 5) to refuse to bargain collectively with the representatives of his employees, subject to the provisions of section 9(a) [section 159(a) of this title].

The NLRA is enforced by a federal administrative agency called the National Labor Relations Board (NLRB). The agency thoroughly investigates ULP charges that members of the public, including trade unions, can file. If the investigation determines that the charges are meritorious, the general counsel of the agency will issue a complaint. The general counsel then presents its case before an administrative law judge, who issues findings of fact and recommended conclusions of law. Absent appeals, the NLRB will adopt the administrative law judge's decisions. However, if any party in the ULP proceeding files exceptions to the judge's decision, the NLRB will review the evidence and issue its own decision. Decisions issued by the NLRB are enforceable and reviewable by U.S. Courts of Appeal.

Both the NLRB and U.S. Courts of Appeal have repeatedly found that Starbucks has violated the NLRA while attempting to resist workers' efforts to form unions for the purpose of collective bargaining. This established record before the NLRB and U.S. federal courts leaves little doubt to the credibility and truthfulness of allegations that Starbucks has been waging an aggressive, nationwide anti-union campaign against its employees.

Without wishing to prejudice the accuracy of these allegations, we are gravely concerned that Starbucks' alleged conduct, including but not limited to the reprisal measures taken against workers campaigning or expressing support for unionizing, may

amount to violations of workers' rights to freedom of expression, freedom of peaceful assembly and freedom of association, as stipulated inter alia by articles 19, 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR). In addition, we are concerned that by violating U.S. labor law as laid out above, Starbucks has also acted contrary to the core labor standards promulgated by the 1998 ILO Declaration on Fundamental Principles and Rights at Work. Though not directly enforceable, as an ILO member State, the U.S. has committed to respect and protect the provisions of this Declaration, which incorporates core NLRA prohibitions. Since the NLRB has found Starbucks to have violated the NLRA on numerous occasions, Starbucks cannot credibly contend that it complies with these fundamental ILO standards. Starbucks also actively campaigns in opposition to unions – which does not comply with the right to freedom of association and the effective recognition of the right to collective bargaining as stipulated by art. 2(a) of the ILO Declaration – and routinely denies its retail workers in the U.S. basic and fundamental labor rights they are entitled to exercise. As repeatedly found by national jurisprudence, it has done so nationwide through conduct that is not in line with applicable standards, including by terminating union activists and leaders.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information or comments you may have on the above allegations.
2. Please provide information on **investigations** conducted by the NLRB or DOL regarding these allegations and the **findings** thereof.
3. Please indicate the steps that the State is taking to **ensure the safety** of strikers and to **prevent retaliatory actions** that chill the rights to expression, assembly and association.
4. Please explain what **enforcement actions or sanctions** have been applied to ensure that the company complies with labor laws and ceases interference with unionization.
5. Please highlight the steps that your Excellency's Government has taken, or is considering to take, to ensure that business enterprises within its territory conduct effective human rights due diligence to identify, prevent, mitigate and account for how they address their impacts on human rights throughout their operation, as set forth by the UN Guiding Principles on Business and Human Rights.

This communication, and any response received from your Excellency's Government, will be made public via the communications reporting [website](#) at the 60 days mark. Should Your Excellency's Government respond within 60 days, both the

communication and the response, may be published before the 60 days mark. The communications and responses will also be made available in the subsequent periodic report to be presented to the Human Rights Council.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please be informed that a letter on this subject matter has also been sent to Starbucks Coffee Company.

Please accept, Excellency, the assurances of our highest consideration.

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Special Rapporteur on the rights to freedom of peaceful assembly and of association

Damilola S. Olawuyi
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Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to draw the attention of your Excellency's government to the relevant international norms and standards that apply to the issues raised by the situation described above.

We would first like to call the attention of your Excellency's Government to the obligations under international human rights instruments, of which the United States of America part: articles 19, 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR) namely guarantee the right of every individual to freedoms of peaceful assembly and association. We would like to recall that these obligations, as interpreted by the Human Rights Committee in its general comment No. 34, imply not only the direct respect by all State authorities for these freedoms, but also protection against acts by private persons or entities that obstruct their enjoyment.

We wish to recall that article 21 ICCPR protects peaceful assemblies wherever they take place: outdoors, indoors and online; in public and private spaces; or a combination thereof. Such assemblies may take many forms, including demonstrations, protests, meetings, processions, rallies, sit-ins, candlelit vigils and flash mobs. They are protected under article 21 whether they are stationary, such as pickets, or mobile, such as processions or marches" (CCPR/C/GC/37, para. 6).

We wish to emphasize that the ability to associate, including in the form of unions, is a key civil and political right, protected by article 22 ICCPR. It is essential to individuals' participation in their societies more broadly as well as in terms of shaping the structures that affect their lives, and essential to the establishment of democratic societies (A/HRC/53/38/Add.3, para. 17).

Article 19 of the ICCPR guarantees the right to hold opinions without interference and the right to freedom of expression, which includes the right "to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media." In its general comment No. 34, the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of expression, including "political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse" (CCPR/C/GC/34, para. 11). The Committee further asserts that there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression (para. 23).

Any restriction on the right to freedom of expression must be compatible with the requirements set out in article 19(3) ICCPR. Under these requirements, restrictions must (i) be provided by law; (ii) pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals; and (iii) be necessary and proportionate for those objectives. The State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant, and

restrictions must always be “the least intrusive instrument among those which might achieve their protective function” (CCPR/C/GC/34, para. 34).

We would also like to recall the Guiding Principles on Business and Human Rights (A/HRC/17/31). The Guiding Principles were unanimously endorsed in 2011 by the Human Rights Council in its resolution (A/HRC/RES/17/31) after years of consultations involving governments, civil society, and the business community. The Guiding Principles have been established as the authoritative global standard for all states and companies to prevent and address negative consequences related to business activities on human rights. The responsibility to respect human rights constitutes a global norm of conduct applicable to all businesses, wherever they operate. It exists regardless of the capacity and/or willingness of States to fulfill their own human rights obligations and does not diminish those obligations. It is an additional responsibility to complying with national laws and regulations protecting human rights. We would like to particularly highlight the following three principles:

Guiding principle 12: “The responsibility of business enterprises to respect human rights refers to internationally recognized human rights – understood, at a minimum, as those expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the International Labour Organization’s Declaration on Fundamental Principles and Rights at Work.”

Guiding principle 13: "The responsibility to respect human rights requires that business enterprises:

- a) Avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur.
- b) Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts." (Guiding principle 13).

Guiding principle 15: "In order to meet their responsibility to respect human rights, business enterprises should have in place policies and processes appropriate to their size and circumstances, including:

- a) A policy commitment to meet their responsibility to respect human rights.
- b) A human rights due diligence process to identify, prevent, mitigate, and account for how they address their impacts on human rights.
- c) Processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute." (Guiding principle 15).

According to the Guiding Principles, States have a duty to protect against human rights abuses within their territory and/or jurisdiction by third parties, including

business enterprises. States may be considered to have breached their international human law obligations where they fail to take appropriate steps to prevent, investigate and redress human rights violations committed by private actors. While States generally have discretion in deciding upon these steps, they should consider the full range of permissible preventative and remedial measures.

Furthermore, we would like to note that as set forth in the Guiding Principles on Business and Human Rights, all business enterprises have a responsibility to respect human rights, which requires them to avoid infringing on the human rights of others to address adverse human rights impacts with which they are involved. The responsibility to respect human rights is a global standard of expected conduct for all business enterprises wherever they operate. It exists independently of States' abilities and/or willingness to fulfil their own human rights obligations, and does not diminish those obligations. Furthermore, it exists over and above compliance with national laws and regulations protecting human rights.

In addition to the Guiding Principles, we wish to direct the attention of your Excellency's Government to art. 20 of the Universal Declaration of Human Rights, which guarantees everyone's right to freedom of peaceful assembly and association.

We furthermore recall the International Labour Organization's Declaration on Fundamental Principles and Rights at Work, particularly para. 2 declaring that

“(...) all Members, even if they have not ratified the Conventions in question, have an obligation, arising from the very fact of membership in the Organization, to respect, to promote and to realize, in good faith and in accordance with the Constitution, the principles concerning the fundamental rights which are the subject of those Conventions, namely:

- (a) freedom of association and the effective recognition of the right to collective bargaining (...).”

The full texts of the human rights instruments and standards recalled above are available on www.ohchr.org or can be provided upon request.