

Remarks by Mary Robinson

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For those of us who were present at the birth of the Global Compact, it is truly impressive to see the turnout at this Summit and sense the commitment of participants to work individually and collectively to make a difference. I came away from the discussions yesterday feeling that most agreed that the Global Compact has reached a point in its development where it needs to take stock of its enormous growth and significant progress as well as its shortcomings to date, and determine whether a new level of commitment and a new or revised approach going forward is needed.

Nowhere is there need for stocktaking and increased action more than in the human rights aspects of the Global Compact. As the review report for the Summit puts it: “For many businesses around the world, human rights remains an ambiguous or altogether unfamiliar area.”

Thinking back, as I was taking up the post of UN High Commissioner for Human Rights nearly a decade ago in September 1997, I recall that few business leaders I met at the time wanted to talk openly about human rights

or explore what their responsibilities were in this area. But I saw that gradually begin to change. As we marked the 50th anniversary of the Universal Declaration of Human Rights in 1998, the business community began to step forward by making initial commitments, asking tough questions and raising legitimate concerns. There was an awareness of the shifting public expectations of companies and recognition that employees' health and safety as well as opportunities for building new markets and contributing to sustainable development were linked to the political and social environments in which business operated.

Ten years later, I think it is fair to say there is broad agreement at least in principle that the private sector should at minimum respect human rights around the world. No one denies that the activities of business help provide the enabling environment needed for the enjoyment of human rights. And no one questions that company operations can have serious negative impacts on the protection of human rights when not carried out in a responsible manner. I believe the Global Compact has played a key role in helping bring about this change in attitude.

But let's also acknowledge that the business role in human rights remains a contested area for many companies. We saw this in the divisive debates over the efforts of the UN Sub-Commission to develop business and human rights norms. Yet I think most of us would agree that the need for greater conceptual, normative and legal clarity in this area has not gone away. In 2005 governments took a step in recognizing the need for further action by establishing the mandate of Special Representative of the UN Secretary-General on business and human rights. The Special Representative, John Ruggie of Harvard University, who as many of you know was a key architect of the Global Compact, has done a great deal over the past two years to bring information and analysis forward. I know John very much wanted to take part in the Summit and today's session but family commitments prevented it. So let me take just a moment to reflect on some key points that have come out of his efforts to date.

First, the research carried out under the mandate shows a clear trend of increasing attention among UN human rights monitoring bodies and others to the obligations of States to protect against corporate activities which impact negatively on respect for human rights. Few states seem to have

policies, programs or tools in place to deal with corporate human rights challenges.

Second, the Special Representative has identified developments in international criminal law which are creating an expanded web of potential corporate liability for international crimes, imposed through national courts. These changes are bound to cause more companies to look seriously at their own practices and potential liability.

Third, he has highlighted the promise and perils of new multi-stakeholder initiatives led by a small but significant number of companies and civil society organizations, with an even smaller number of governments involved, which have sought to close regulatory gaps that contribute to human rights abuses. The Special Representative's reports suggest that the need for further steps to make voluntary actions more effective and more legitimate is a priority issue to be addressed and we have heard similar comments concerning the Global Compact during this Summit.

Clearly, leading initiatives are recognizing the need to address such issues. One example worth noting briefly concerns the Voluntary Principles on

security and human rights. Most of you will be aware that just two months ago, this initiative of companies, civil society organizations and governments took significant steps in improving its own governance structure. Membership criteria were adopted which require all members of the initiative to make certain undertakings including to:

1. Publicly promote the Voluntary Principles;
2. Proactively implement or assist in the implementation of the Voluntary Principles;
3. Communicate publicly on efforts to implement or assist in the implementation of the Principles at least annually and;
4. Subject to legal, confidentiality, safety, and operational concerns, provide timely responses to reasonable requests for information from other Participants with the aim of facilitating comprehensive understanding of the issues related to implementation or assistance in implementation of the Voluntary Principles.

The Global Compact has taken steps in this direction as well through its Integrity Measures and the policy of delisting participants who do not submit communications on Progress. It is becoming increasingly evident that all

voluntary initiatives, whether industry focused or broad based, need accountability mechanisms of some kind to help make them effective and legitimate.

But in the area of human rights, better governance of voluntary initiatives won't be enough. There is work to be done in addressing the precise nature and scope of business responsibilities and in making human rights concerns a more central part of mainstream business practice. Despite the impressive growth of initiatives like the Global Compact, the fact remains that the majority of major companies remain outside the business and human rights discussion.

The Business and Human Rights Resource Centre undertakes an ongoing review of publicly available human rights specific policy statements. Today only 120 companies have such a statement available online. A preliminary analysis based on public information indicates that only 60 some FT Global 500 companies publicly refer to a human rights policy statement or policy guidance using the words "human rights". John Ruggie's surveys of companies turned up more encouraging responses of actual policies. But we in the human rights community believe all Global Compact participants should be willing to be clear in their own reporting and public information

that they take seriously their commitment to respecting human rights in line with Principles 1 and 2 of the Compact. The apparent disparity between adherence to the Global Compact and public expression of human rights principles only serves to reinforce doubts about the value and significance of companies' signing up to the Compact.

The point I am making is that the Global Compact since its inception has been about leadership and must continue to be so. Human rights leadership by all parts of society is what is needed most today. Projects like the Business Leaders Initiative on Human Rights, an alliance of 14 major companies I am proud to chair, committed to integrating the principles of the Universal Declaration of Human Rights into corporate policies and practices and to serving as global advocates for human rights concerns in the wider business community. It is an example of how some leading companies are trying to make progress on this front.

How do we engage more Global Compact participants in taking human rights concerns onboard in a serious way? Most companies are still uncertain of what is expected and how they can measure performance. This contributes to the reluctance to state clearly a commitment to human rights in corporate policy. As we have heard this morning, great efforts are being

made to develop the practical tools that can not only help companies avoid actions that lead to human rights abuses, but also take positive steps to promote greater realization of fundamental rights around the world.

As a Global Compact board member, I am pleased that we have launched a new human rights working group which I am chairing and my colleagues from Realizing Rights are helping facilitate in cooperation with the Global Compact office and OHCHR. We know that the human rights principles of the Global Compact remain the most challenging for companies to address internally, particularly for the companies who are new to the Compact. We hope the human rights working group will provide information, insight and inspiration to the growing number of Compact participants around the world.

Making progress in defining the scope of business responsibilities and establishing the systems to prevent involvement in rights abuses is crucial.

But I want to conclude by urging you all not to underestimate the role companies can play in shaping the future of human rights as we approach the Universal Declaration's 60th anniversary next year.

There is a challenge I would like to throw out to you as we approach 2008. The Universal Declaration is the foundation of international human rights law. It is the most important internationally agreed statement of values and

shared responsibilities we have. Yet it is still largely unknown in many parts of the world, including among leading companies. In a world so deeply divided, we need more than ever common values, “common standards of achievement” as the Universal Declaration puts it. And we, civil society, the business sector, need tools to hold governments accountable for their performance. The Universal Declaration, which has been affirmed and reaffirmed by governments over more than half a century, is central to that cause.

I would urge you all as part of your commitment to the Global Compact to promote the Universal Declaration within your companies and organizations. Starting this December 10th – International Human Rights Day – and concluding on 10 December 2008 – the Universal Declaration’s 60th anniversary – let’s use the Global Compact to help generate a global conversation about the Universal Declaration and what it means today.

Clearly, talking about human rights is only a first, if still critical step. But I can think of know better way for Global Compact participants to express their support for human rights and stress the need for governments to take their human rights obligations seriously than by making the Universal Declaration the center of debates and action over the coming year.

Thank you.