

OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS



**OHCHR/GLOBAL COMPACT OFFICE “CONSULTATION ON BUSINESS
AND HUMAN RIGHTS”**

22 OCTOBER 2004

**REMARKS BY THE DEPUTY HIGH COMMISSIONER FOR HUMAN
RIGHTS**

Chairperson,
Ladies and gentlemen,

I would like to welcome you today to this consultation on “business and human rights”. I see this consultation as another event in a growing dialogue in the United Nations on this issue – a debate that goes back over four years.

In July 2000, the Secretary-General launched the Global Compact to bring companies together with UN agencies, labour and civil society to support a set of principles, including two on human rights. In relation to human rights, the Global Compact asks companies to embrace, support and enact within their sphere of influence the principles that business should:

- Support and respect internationally proclaimed human rights;
- Make sure they are not complicit in human rights abuses.

The United Nations has therefore been examining the human rights responsibilities of business for several years. The mandate of the Office of the High Commissioner to submit a report on the responsibilities of business with regard to human rights marks the latest stage in this examination. Your presence here today is an important aid to this examination.

In this context, I note that you have all taken time out of busy schedules to help us with this task and we appreciate this. I would also add that we are particularly pleased to work with the Global Compact on this occasion.

You have before you a challenging task. There are many and diverse views on the question of business and human rights. Recent debate over the draft Norms on business and human rights demonstrates just how diverse views can be. Debates on these issues can be spirited; and at times, confrontational.

I wish to emphasize upfront that our objectives here today are modest. We do not see today’s discussion as the end of a process, but rather another

step in a continuing dialogue. Indeed, we do not expect you to reach any conclusions today; to come to any agreement; to find consensus. On the other hand, we do hope for an exchange of views. I therefore encourage dialogue, respect and flexibility. I believe that confrontation will not assist us in moving forward.

Similarly, I would encourage you to be innovative and to challenge your own views on this issue. I am pleased to note that in the last four months we have received over 90 written submissions in relation to the report we are drafting on business and human rights. Those submissions span views and arguments from a wide spectrum of organizations – many represented in this room. Rather than repeating the positions already put forward in written submissions, you have the chance to seize this as an opportunity to listen to others and to understand views from a different perspective. I challenge you to do so.

You have before you the agenda. We have devised this agenda with our report on business and human rights in mind. While most of you here are well aware of the framework of this report, it might be helpful to recall our mandate.

The governments represented in the Commission on Human Rights have requested the Office of the High Commissioner for Human Rights to consider three issues. These issues are:

- Existing initiatives and standards in relation to business and human rights;
- The scope and legal status of these initiatives and standards;
- Any outstanding issues.

We have therefore framed today's agenda in order to reflect these issues. The agenda can be considered in two phases.

First, the consultation will attempt to identify and discuss existing initiatives and standards on business and human rights, their scope and legal status. Part of the function of the report we are preparing will be to assist governments and observers in the Commission on Human Rights to understand the many initiatives and standards on business and human rights that are currently available. While for many of you, this is well-trodden territory, to the uninitiated, this is a daunting task. So I ask you to assist us to find a way to help the uninitiated come to grips with this complex landscape.

The second part of today's consultation will attempt to identify and discuss any outstanding issues in this discussion which are in need of clarification, study or further debate. This is very broad. Therefore, we have tried to focus it on issues raised in the submissions that the Office has received over the last few months – the human rights relevant to the activities of business; the responsibilities of business in this regard; and the most appropriate way to ensure respect for human rights standards by business.

The Guide to Discussion that you have before you outlines in more detail some of the related topics. The Guide does not seek to be exhaustive in its treatment of issues, nor does it seek to restrict discussion to the issues it raises. More than anything, the Guide seeks to help you focus on particular subjects even if only some of them might be treated in the limited time available – I hope you find it helpful.

Before closing, I would like to express some thanks – first of all to our Chairperson and experts. We appreciate their efforts and thank them for their time, both today, and in preparing for the meeting, particularly given that we have had no resources to support this initiative.

I would add a further word of thanks to the Chairperson, Mr. Chris Marsden, who I know has taken on his role seriously and has been a great help to us in considering our approach to this consultation. I have every confidence that he will do an excellent job in facilitating this discussion. In this regard, my thanks also go to the Business and Human Rights Resource Centre who has kindly provided the resources for Mr. Marsden's travel.

I will close by re-emphasizing the importance of dialogue, respect and flexibility. We do not seek conclusions of definitive solutions today. We **do** hope to provide the space for stakeholders to express views that will assist us in preparing our report to the Commission on Human Rights as well as to prepare the way for further dialogue. I believe that this reflects the Commission's wish to us that we consult widely – I also believe that this corresponds to the wider role of the United Nations as a convenor and facilitator of dialogue.

I wish you well in your discussions and look forward to their outcome.