



**OECD ROUNDTABLE ON
CORPORATE RESPONSIBILITY**

OECD Conference Centre

2 Rue André Pascal

29 June 2011

Statement by

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Distinguished participants, ladies and gentlemen,

It is an honour for me to be able to address this OECD Roundtable on Corporate Responsibility. I am very grateful for the invitation which marks the first time the Office of the High Commissioner for Human Rights (OHCHR for short) has been requested to participate in discussions at the OECD on corporate responsibility.

Previous engagements between the two organizations have taken place in the context of the OECD's Development Assistance Committee (OECD-DAC), working to integrate human rights within development, aid, governance and poverty reduction policies.

Over the past six years, OECD's engagement with the international human rights machinery on corporate responsibility has been through the work of the Special Representative of the UN Secretary-General, Professor John Ruggie. Already before the UN Human Rights Council had endorsed the UN Guiding Principles on business and human rights, developed by Professor Ruggie, the OECD adopted an updated version of its Guidelines for Multinational Enterprises reflecting Professor Ruggie's work. The inclusion of a human rights chapter in the Guidelines marked an important development towards consolidation of a global standard for corporate responsibility and accountability with regards to human rights.

As you probably all know by now, two weeks ago in Geneva the Human Rights Council followed suit and unanimously endorsed the UN Guiding Principles for Business and Human Rights. It was a historic decision, marking the first time that the Council endorsed a normative document that had not been drafted through an inter-governmental process. The decision was also historic by being the first time an intergovernmental human rights body endorsed a normative document on the issue of business and human rights. The Guiding Principles now constitute an authoritative normative platform which include guidance regarding legal and policy measures that States, in compliance with their existing human rights obligations, can put in place to ensure corporate respect for human rights.

The consensus amongst all 47 members of the Council provides the UN Guiding Principles with strong political legitimacy in all parts of the world, widely beyond the range of OECD countries. The core sponsors of the Human Rights Council resolution were Norway, India, Argentina, Nigeria, and the Russian Federation, all of whom have been core sponsors of Professor Ruggie's mandate since it was established in 2005. In addition to the five core sponsors, a further 39 countries, both members and non-members of the Council, co-sponsored the resolution. These additional sponsors included countries such as USA, Brazil, Colombia, Mexico, the United Kingdom, Canada, Guatemala, Peru, Jordan and Indonesia. The members on the Council who joined the consensus but didn't co-sponsor the resolution included China, Malaysia, Saudi Arabia, Uganda and Chile, to name but a few. In other words countries, from all parts of the world, both developed and developing countries, OECD and non-OECD countries, joined the consensus or showed their support as non-members by co-sponsoring the resolution.

This unprecedented global consensus on an issue that was until recently particularly polarizing and divisive even by UN standards offers a unique opportunity for both international and national actors to drive the push for change in how business manage and respond to human rights risks and challenges, including by ensuring that impacted individuals and communities have access to an effective remedy to address any harm. In the face of such widespread support at the United Nations, countries will find it difficult to say "this does not concern us" when challenged on their efforts to protect human rights in a corporate context; business enterprises operating anywhere have greater

clarity about the nature of their human rights responsibilities and how to meet it, leaving less room for laggards claiming that human rights is not of concern to business; and civil society and impacted communities have a clearer basis on which to monitor, hold to account or engage with business about their human rights performance.

But as John Ruggie himself has said, the Guiding Principles constitute only the end of the beginning. It is only through their effective dissemination and implementation that the Guiding Principles can realize their potential and generate the change on the ground that John Ruggie and all those who have participated in the process over the past six years have been seeking.

For its part, the Human Rights Council decided to establish a five member expert working group to promote the effective and comprehensive dissemination and implementation of the Guiding Principles. The mandate of the Working Group include the following:

- To identify, exchange and promote good practices and lessons learned on the implementation of the Guiding Principles and to assess and make recommendations thereon;
- To provide support for efforts to promote capacity-building and the use of the Guiding Principles
- To conduct country visits (something John Ruggie was never formally mandated to do, even though he travelled extensively over the six years);

- To continue to explore options for enhancing access to effective remedies available to those whose human rights are affected by corporate activities, including those in conflict areas.

Of particular interest to this meeting may be a provision in mandate of the working group “to develop a regular dialogue and discuss possible areas of cooperation with Governments and all relevant actors...”. As it happens, the resolution does not refer to the OECD in the list of international bodies, but this does not mean that the OECD would be excluded. There would be plenty of scope in the mandate of the working group to establish relevant collaboration with the OECD as they go about working on the implementation of the updated Guidelines, including as they relate to human rights. One of the benefits of this alignment of standards in various fora is the possibility to join forces or collaborate to meet the challenges of implementation.

It may also be of interest to this meeting that the HRC resolution furthermore decided to establish an annual forum on business and human rights under the guidance of the Working Group to “discuss trends and challenges in the implementation of the Guiding Principles and promote dialogue and cooperation on issues linked to business and human rights, including challenges faced in particular sectors, operational environments or in relation to specific rights or groups, as well as identifying good practices.”

This annual Forum shall be open to the participation of all relevant actors and bodies, including from business and civil society and intergovernmental organizations. It offers

all of you here an opportunity to bring your own experiences of implementing the Guidelines to this UN Forum, to the benefit of both processes.

As for our own role, OHCHR also intends to take advantage of the opportunities created by the greater normative clarity of the roles and responsibilities of both States and business when it comes to business and human rights. As the UN's human rights advocate, OHCHR will seek to continue to provide guidance to both states and business on human rights, and work with all relevant actors to ensure the effective implementation of the Guiding Principles. The High Commissioner has also stressed in a recent address to the International Labour Conference that she wants to continue constructive collaboration with business on human rights, including through our field offices, as business actors move towards implementing their corporate responsibility to respect human rights.

We are currently working on an internal strategy on how best to maximize on the Guiding Principles and more generally enhance our role in the field of business and human rights. This strategy has not yet been finally approved, so I can't elaborate too much on the details. But engagement and collaboration with key organisations like the OECD will form an important part of the strategy, and I see today's meeting as a good beginning of a process of exploring how to work more closely together in the future.

Thank you.