

The role of the UN system in advancing the business and human rights agenda

Panel Discussion – Twenty-third session of the Human Rights Council

Mandate

In its resolution 17/4, the Human Rights Council endorsed the Guiding Principles on Business and Human Rights. In the same resolution, the Council also requested the United Nations Secretary-General to prepare a report on how the United Nations system as a whole, including programmes and funds and specialized agencies, can contribute to the advancement of the business and human rights agenda, and to present this report to the Council at its twenty-first Session. In its Resolution 21/5, the Human Rights Council welcomed the report of the Secretary-General and decided to organize a panel discussion [at the twenty-third session of the Council] with high-level representatives from relevant United Nations programmes, funds and agencies to discuss strategies for advancing the business and human rights agenda by the United Nations system.

The report of the Secretary-General notes that the Guiding Principles should be embedded in the United Nations policy-setting agenda where appropriate. It also highlights that the task team set up by the Secretary-General to define and advance the Post-2015 development agenda provides an important platform for integrating the Guiding Principles, including in regard to addressing the private sector's role in equitable growth and the promotion of policy coherence between human rights and other development objectives. This high-level panel discussion will focus on the role the United Nations system as a whole can play in advancing the business and human rights agenda through embedding the Guiding Principles on Business and Human Rights in the Post-2015 framework and related UN strategies, policies, and processes.

Date and venue

- 30 May 2013, 15.00 – 18.00
- Room XX

Objectives

1. Highlight the role of the United Nations system in advancing the business and human rights agenda through embedding the Guiding Principles into United Nations development strategies, policies and processes, specifically in the context of the Post-2015 development framework.
2. Contribute to building capacity among United Nations programmes, funds and agencies on the mainstreaming of the Guiding Principles in the United Nations system, in the context of their place in the Post-2015 framework.
3. Highlight the role of the United Nations system in maximising the contribution of business to development by ensuring that key policy frameworks address risks to human rights from business-related activities.

DRAFT CONCEPT NOTE

Proposed format

- Chair: HRC President
- Opening statement: High Commissioner Navi Pillay
- Panellists (proposed) – 30 minutes:
 - UNDP
 - UN Global Compact
 - UN Women
 - WHO
 - World Bank
- Interactive discussion

Background

Former Special Representative to the Secretary-General, John Ruggie, has pointed to a “governance gap” in the area of business and human rights, which allows human rights violations to occur: “The root cause of the business and human rights predicament today lies in the governance gaps created by globalization – between the scope and impact of economic forces and actors, and the capacity of societies to manage their adverse consequences. [...] How to narrow and ultimately bridge the gaps in relation to human rights is our fundamental challenge.”¹

In June 2011, the Human Rights Council took a historic step when it endorsed the first normative framework for preventing and addressing negative human rights impacts from business activities. The Guiding Principles provide authoritative guidance and a concrete definition of the State duty to protect human rights in the context of business activities, the business responsibility to respect human rights and the need to ensure effective access to remedies for individuals whose rights have been violated.

Promoting the respect for all human rights is a fundamental purpose of the United Nations Charter. As stated by Secretary-General (SG) Ban Ki Moon, there is virtually no aspect of the work of the United Nations that does not have a human rights dimension. The business and human rights agenda thus falls squarely within the bounds of the broader mainstreaming of human rights in the United Nations system.

Global standards and initiatives on business and human rights are already converging around the Guiding Principles, including within the United Nations. The corporate responsibility to respect human rights as set out in the Guiding Principles has been incorporated into efforts involving United Nations entities, such as the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security of the Committee on World Food Security, and the revised Sustainability Framework of the International Finance Corporation.

¹ Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie, Protect, Respect and Remedy: a Framework for Business and Human Rights. A/HRC/8/5, para. 3.

DRAFT CONCEPT NOTE

However, despite these positive developments, the issue of business and human rights is not yet part of mainstream United Nations operations. It is therefore important to ensure system-wide coordination of policy, programmes and activities, and to ensure that such efforts respond to the scale of the challenge of advancing the human rights agenda.

Across the United Nations system, the effort is now underway to establish a new development agenda to take effect when the Millennium Development Goals expire in 2015. On 27 March 2013, the Secretary-General's High Level Panel tasked with advising on the Post-2015 development agenda issued a communiqué highlighting critical areas for realizing its Post-2015 vision. These include: reshaped and revitalized global governance and partnerships; protection of the environment; sustainable production and consumption; strengthened means of implementation; and accountability in measuring progress. The panel specifically called on "the need for a renewed global partnership that enables a people-centred and planet-sensitive development agenda which is realized through the equal partnership of all stakeholders".² In order to achieve this, it is essential that the United Nations system as a whole—including agencies, funds, programmes and initiatives—address the issue of business and human rights not only in its formulation the Post-2015 Sustainable Development Goals, but also in strategies, policies, and practices aimed at their implementation.

The 2013 Council's high level panel on advancing the human rights and business agenda therefore constitutes a timely opportunity to discuss the role United Nations agencies, funds, programmes and initiatives can play in integrating the Guiding Principles in the Post-2015 sustainable development agenda, and to promote policy coherence between human rights and other development objectives.

² Communiqué, Meeting of the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda, Bali, Indonesia, 27 March 2013.
<http://www.post2015hlp.org/wp-content/uploads/2013/03/Final-Communique-Bali.pdf>