



**STATEMENT BY
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COMMISSIONER FOR POLITICAL AFFAIRS
AFRICAN UNION COMMISSION**

AT

**THE 2ND UNITED NATIONS FORUM ON BUSINESS AND HUMAN
RIGHTS IN GENEVA**

GENEVA, SWITZERLAND

04 DECEMBER 2013

Your Excellency, Chairperson of the Forum

Your Excellencies, Chairperson and Members of the UN Working Group on Human Rights and Business

Your Excellencies Ambassadors, Heads of Delegations and Members of the Diplomatic Corp

Distinguished Representatives the UN Agencies

Distinguished Representatives of the Civil Society and Non-Governmental Organizations

Distinguished Participants

Ladies and Gentlemen,

It is a great privilege for me to address the 2nd Annual United Nations Forum on Human Rights and Business on behalf of H.E. Dr. Nkosazana Dlamini Zuma, Chairperson of the African Union Commission. I also would like to thank the organizers of this Forum for the kind invitation extended to the African Union Commission to be part of this important event.

The African continent, richly endorsed with natural resources, has witnessed decades of numerous human rights challenges resulting from a diverse range of factors, which include war, poverty, corruption, autocratic governance and others. It is against this background that member states of the African Union, solemnly undertook to promote and safeguard freedom, justice, equality and human dignity in Africa by putting in place instruments to enforce these values.

The African Charter on Human and Peoples' Rights (ACHPR), adopted on 27 June 1981 forms the basis of the African Human Rights System and it not only covers internationally accepted human rights standards, but also recognizes values that are unique to the African continent. It encompasses Civil and Political Rights, Economic Social and Cultural Rights, individual and Group Rights and includes duties of the individual to society.

Concerned about the scourge of conflicts on the Continent, African leaders decided to establish the African Governance Architecture (AGA) and its Platform to support Member States in their efforts to promote democracy, good governance, human rights and the rule of law. The Platform presents a framework through which many of the stakeholders on governance, democracy and human rights will influence the process of facilitating accession to and ratification of AU instruments, but more importantly their domestication, implementation, monitoring and evaluation. We believe that the African Governance Architecture, is a unique tool to strengthen capacity and deepen our understanding of issues of human and peoples' rights, democracy and governance, which constitute our African Shared Values.

Excellencies, Distinguished Guests, Ladies and Gentlemen

In April 2011, the AU Organs adopted the Action Plan of the Human Rights Strategy for Africa. The Strategy is meant to address current weaknesses in the human rights system in Africa, as well as to bring about convergence in the activities of the human rights institutions and actors on the continent in one hand and between these regional mechanisms and universal ones in the other hand.

As a fruit of the Strategy, several coordination and interaction meetings between the AU and the UN Human Rights Special Procedures are held on a regular basis, and could succeed in enhancing the level of cooperation and collaboration between the Global and Continental Human Rights Systems.

It is of particular relevance to our forum to note that the Strategy also focuses on issues related to human rights and business, because the business and human rights agenda is closely linked to key socio-economic and political developments in Africa. Growth in GDP, foreign direct investment, extraction of vast natural resources, and global demand for minerals – all render the UN Guiding Principles on Business and Human Rights become of particular importance to Africa. Regional governance frameworks and State and business best practices will constitute valuable tools to address business-related human rights challenges in Africa.

The global efforts to promote corporate respect for human rights, accountability and access to remedy for those adversely affected by business operations can reinforce and complement work undertaken at the regional level. The clarity provided by the Guiding Principles on the notion of States' and business' duties and responsibilities offers a common platform for reinforcing endeavors taken both at local and regional levels.

African civil society organizations, National Human Rights Institutions and regional mechanisms have become strong advocates of better governance structures to monitor implications of business transactions on human rights particularly in the face of growing foreign investment on the continent. Many have already taken up the UN Guiding Principles and the "Protect, Respect and Remedy" Framework, upon which the Principles rest, in their work to address adverse impacts and advocate for responsible business conduct and sustainable solutions.

The UN Guiding Principles would present opportunities for efforts at the regional level in Africa through integrating the framework in relevant policies and strategies and collaborating with the UN Working Group on Business and Human Rights. The recently agreed framework of cooperation between UN and African human rights institutions also presents opportunities for integration of the Guiding Principles, thus ensuring greater convergence and coherent concerted action for addressing business-related human rights challenges in Africa. A number of other relevant mechanisms present further opportunities for convergence.

In this regard, we are confident that the UN Working Group on Human Rights and Business will join hands with the Working Group of the African Commission on Human People's Rights on Extractive Industries to promote the development of a comprehensive framework governing corporate operations in a manner respectful for human rights.

The African Union is planning to join forces with the UN Working Group on Business and Human Rights during the course of 2014 to hold a regional forum on business and

human rights. This will contribute to joining the dots and building mutual inter-linkages between global and regional efforts and strengthen the regional movement to address corporate practice that impacts negatively on enjoyment of human rights across the African continent. This will be a unique opportunity to bring together for the first time a wide range of stakeholders, some of them with contrasting points of view, to openly discuss how Governments and businesses can move forward to address the impacts of business activities on human rights in the region.

It would of paramount importance to contribute to the promotion of a community of practice and constructive dialogue on business and human rights amongst Governmental institutions, regional bodies, business, industry associations, civil society, national human rights institutions and other relevant stakeholders. Identifying challenges and ways to overcome them as well as learning from existing good practices represent another core aim.

Finally, an African regional forum on business and human rights holds great potential for widening awareness of standards, contributing to capacity building of relevant actors and leveraging ongoing efforts with a view to transforming business practice on the ground.

Once again, I would like on behalf of the African Union Commission to express our appreciation to the UN Working Group on Human Rights and Business and the UN Office of High Commissioner for Human Rights for a job well done.

I thank you.