



NEXT DECADE | 10+

**BUSINESS AND
HUMAN RIGHTS**
UN GUIDING PRINCIPLES

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UN Working Group on Business and Human Rights

**Remarks delivered at the High-level plenary, 2020 UN Forum on Business and Human Rights,
16 November**

Excellencies,

Distinguished participants,

Colleagues and friends,

As Chair of the UN Working Group on Business and Human Rights, I am pleased to welcome you to this year's Forum, on behalf of myself and my Working Group colleagues.

We have had the pleasure of guiding and chairing this Forum every year since 2012, as part of our mandate to promote implementation of the UN Guiding Principles on Business and Human Rights.

Despite current restrictions on in-person gatherings, we are grateful to be able to gather virtually and would like to thank all the speakers that are taking part, as well as everyone following from around the world. We are happy that more than three thousand people are participating globally.

We welcome the virtual presence of human rights defenders, indigenous peoples' representatives, and community and worker representatives, and we have dedicated sessions to hear from these groups. Your voices are an inspiration and need to be at the heart of our discussions of building back better.

We need to build a new foundation and one that empowers those of our communities who have done so much to keep markets moving, factories operating, crops growing, and hospitals open.

This year's Forum theme is "Preventing business-related human rights abuses: The key to a sustainable future for people and planet."

Prevention is at the core of the Guiding Principles, and their emphasis on proactive, ongoing action by States and business in fulfilling their respective duties and responsibilities.

The Working Group's key message at this Forum is the following: The UN Guiding Principles are a key tool for prevention of negative human rights impacts and as a result are essential to a strategy for a resilient recovery.

The UN Secretary-General has made prevention a key priority as well. As the Secretary General has stated: "When we act early, and are united, we can successfully prevent crises from escalating, saving lives and reducing suffering and fulfilling the most fundamental mandate of the United Nations, as set out in the Preamble of the Charter". The Working Group's most recent report to the General Assembly focuses on the role of the Guiding Principles in conflict prevention and building sustainable peace.

COVID-19 has laid bare and amplified gross existing inequalities and discrimination. The crisis has highlighted the vulnerability of many people in workforces and value chains around the world. We need businesses and States to reframe business models, to ensure that respect for human rights begins when government concessions are awarded to companies, business contracts are executed with suppliers, and workers are asked to take on essential tasks.

The disproportionate negative impacts on people of colour and minorities of the pandemic and economic crisis further underline the need for the fight against racism.

We also continue to face the ongoing climate and environmental crises, shrinking civic space, populism, corruption, conflict and fragility, and the yet unknown human consequences of technological disruption.

The Guiding Principles' three pillars tell us what is needed in practice: States must protect human rights, business should respect human rights, and victims need access to effective remedy. We need to put the Guiding Principles into practice now – our lives depend on it.

By anticipating harms to people and addressing them before they occur, business and States can ensure sustainable business that does not put profit over people. The Guiding Principles are a future proofing tool that allows business to continuously adapt, innovate and anticipate negative human rights impacts.

Colleagues and friends,

16 June 2021 will mark the 10th anniversary of the Guiding Principles.

This upcoming milestone presents an opportunity to reflect on progress and challenges to date and, more importantly, to create a renewed push for scaled-up global implementation going forward.

This is why, in July of this year, we launched "[UNGPs10+ / NextDecadeBHR](#)," a major project in collaboration with OHCHR and UNDP, and supported by Germany, Switzerland, and other partners.

This timely and ambitious project will result in two main outputs.

- First, a stocktaking report will be presented to the Human Rights Council in June 2021.
- The second part, a roadmap for the next decade – developed with all of you – to be launched on 16 June.

The UNGPs10+ project is well underway as the Working Group gathers global inputs from a wide range of stakeholders.

These conversations are making the big picture clearer.

On the positive side, the Guiding Principles provide a globally agreed-upon standard and baseline for what governments and businesses need to do to embed respect for human rights in a business context – something which did not exist before 2011.

One of the most striking examples is the key Guiding Principles' concept of corporate human rights due diligence. Introduced by the Guiding Principles, it is now at the centre of regulatory developments in Europe, with increasing backing from business and investors.

At the same time, we must acknowledge that the “governance gaps” that created the need to develop “business and human rights” still allow too many instances of business-related abuses across all sectors and regions. The many examples range from widespread forced labour across global supply chains, to violent attacks and legal harassment against human rights defenders, including union representatives, to deaths of workers who were not provided with proper equipment during the COVID-19 pandemic.

Likewise, prevention remains inconsistent, relatively few governments are taking action beyond cosmetic endorsement of the Guiding Principles. Access to remedy for business-related harms is still a major and urgent challenge for achieving meaningful progress.

This reflects a problem of scale. A key finding coming out of UNGPs10+ to date is that the business and human rights movement has not succeeded in addressing the massive capacity building need in many regions.

At the global governance level, there are both convergence and remaining gaps. Key standards for responsible business, notably ILO and OECD frameworks, are closely aligned with the Guiding Principles.

However, policy coherence is still a formidable challenge.

A fresh example was last week's Finance in Common summit, the first global summit of all public development banks. Human rights were not on the agenda, and rights-holders were not at the centre of the discussions.

Another example concerns G20 governments that express commitment to the Guiding Principles, while simultaneously attempting to silence human rights advocates who raise concerns about business impacts. This has happened even in the context of this Forum.

I would like to mention some of key drivers of change that the Working Group has already identified as integral to advancing business and human rights in the next decade.

One is the mandatory dimension of the “smart mix” prescribed by the Guiding Principles. Government action is gaining momentum, as demonstrated by the recent wave of mandatory human rights due diligence initiatives.

We also seek to shine a brighter light on the role, responsibility, and leverage of the financial system – particularly development finance institutions and institutional investors – in ensuring respect for human rights.

I would also like to draw your attention to our invitation to all interested parties to have their say through written contributions.

In conclusion, I want to reiterate that the purpose of this Forum is to offer a platform to all our voices and to contribute to collective stocktaking. And most importantly it is to remind us of a collective goal for the UN, for all of us – using the Guiding Principles as a key prevention tool amidst the multiple crises we now face.

From the South and the North, from business, governments or civil society, from advocates to practitioners, from wherever you come, you are most welcome, and your voice is needed in this dialogue.

Thank you for taking part.