



**K.221.244-MORCO**

22.12.2011

---

## First Submission

To the UN Working Group on the Issue of Human Rights and Transnational Enterprises and other Business Enterprises

## Government of Switzerland

---

Switzerland has supported and contributed to the mandate of former Special Representative for Human Rights and Transnational Corporations and other Business Enterprises John Ruggie since its beginning in 2005.

Switzerland regards the results of SRSG John Ruggie's mandate, the "Protect, Respect, Remedy" Framework as well as the UN Guiding Principles, as important achievements in the process of ensuring that a globalised economy contributes to the good of all without harming and abusing human rights.

Considering the integration of Switzerland's economy into the world economy, the Guiding Principles are of particular relevance to Switzerland. The competent Swiss authorities will soon initiate a dialogue with the relevant national stakeholders (enterprises, civil society) in order to foster business respect for human rights.

Switzerland is of the view that the following points should be a priority for the first efforts of the UN Working Group:

- A. One of the key factors for John Ruggie's success has been his continuous involvement and dialogue with all relevant stakeholders. Switzerland regards it as crucial that the Working Group continues this approach and reaches out to all relevant stakeholders in order to preserve the wide acceptance that the Guiding Principles have found. This should include close cooperation with relevant UN bodies, specialised agencies, funds and programmes in order to ensure a coherent approach of the UN system with regard to the "Business and Human Rights" agenda.
- B. The "Protect, Respect, Remedy" Framework and the Guiding Principles offer important orientation for states and enterprises to take appropriate measures in their areas of competence in order to reduce adverse human rights impacts of business. However, it will remain important to develop more detailed tools and instruments, such as reporting and accountability mechanisms, in order to improve and encourage implementation.
- C. A more thorough determination of the relations between the different pillars and the respective duties and responsibilities of the stakeholders should be an important objective. This will allow

the UN Working Group to make effective recommendations on how states should relate to the companies they host, in order to fulfil their state duty to protect.

- D. Switzerland regards it as important to improve the protection of directly affected rights holders, in particular the most vulnerable ones by ensuring access to effective remediation and legal protection. All interested stakeholders should be part of the future process and participate in the annual forum in order to give visibility to their respective experiences and best practices related to remediation.
- E. Switzerland encourages the UN Working Group to conduct country visits on a regular basis. Visits on the ground are important as they allow the UN Working Group to consult directly with local affected groups who do not have the possibility to participate actively in the UN Human Rights Council process. By doing this the UN Working Group will be able to collect best practices and lessons learnt with reference to all three pillars.
- F. The Working Group could propose and help organise regional or in-country multi-stakeholders workshops to provide guidance on national implementation.

Switzerland remains fully supportive of the efforts of the UN Working Group in promoting the implementation of the "Protect, Respect, Remedy" Framework and the UN Guiding Principles on Business and Human Rights.