

## **ICC statement on the subject of Business and Human Rights at the 29th regular session of the UN Human Rights Council June 2015**

National Human Rights Institutions (NHRIs) are independent public bodies established at national level according to the UN Paris Principles with responsibility for promoting and protecting human rights.

The International Coordinating Committee of NHRIs (ICC) reiterates its support for the UN Guiding Principles on Business and Human Rights (UNGPs) and the mandate of the UN Working Group on Business and Human Rights.

The ICC is concerned that, in spite of the Human Rights Council's unanimous endorsement in 2011 of the UNGPs, human rights abuses resulting from business activities continue to escalate in many contexts across the world, in particular in the context of the economic crisis. At the same time, measures taken by states and businesses to prevent and remediate such impacts remain inadequate and impunity for business-related human rights abuses remains pervasive. A vicious circle is thus created, the deterioration of human rights protection exacerbating the economic crisis and vice versa.

Accordingly, the ICC reiterates its call for all states, transnational corporations, and other business enterprises to scale up their efforts by an order of magnitude to meet their respective duties and responsibilities in accordance with the UNGPs.

Noting the adoption of HRC resolution 26/L.22/Rev.1, NHRIs are willing to participate constructively in the process of the Inter-governmental Working Group (IGWG) to elaborate an international binding instrument on business and human rights. In this context the ICC would like to emphasize the following:

- Proposals for a legal instrument on business and human rights should be grounded in facts-based evidence demonstrating practical value to human right protection and fulfilment.
- A binding instrument on business and human rights should build on the UNGPs and be complementary to current efforts at the national, regional and international levels to implement the UNGPs. In particular a new instrument should strengthen the implementation of national action plans, the development of which many NHRIs are already contributing to;
- The elaboration of an international legally binding instrument should be a process simultaneous to the integration of the UNGPs into relevant international texts and agreements. In this sense, both processes should be complementary.
- In the experience of NHRIs, a significant part of business related human rights abuses arise in relation to enterprises operating mostly domestically. We therefore call on Member States to broaden the discussion to include not only transnational corporations but equally the broad range of business enterprises operating domestically.
- We encourage the IGWG to adopt and outline a process, which is transparent, inclusive and participatory of all stakeholders including states, employers' and trade

unions' organisations, business, **NHRIs** and civil society, ensuring broad representation of rights-holders with particular emphasis on marginalized groups and affected communities. We recommend mainly involving, consulting and informing the civil society in the process of elaborating an international legally binding instrument.

Recent progress in the area of business and human rights has been built on a carefully crafted international consensus, which must not be jettisoned. We call on all Member States to safeguard this consensus while taking the necessary steps to protect human rights in the context of business activities, private or public.