



Joint Input to the United Nations Secretary-General's Report on Business and Human Rights and the UN System

Geneva, 26 March 2012

The International Organisation of Employers (IOE), the International Chamber of Commerce (ICC) and the Business and Industry Advisory Committee (BIAC) to the OECD, which together form the most representative voice of global business, welcome the opportunity to submit a joint input to the United Nations Secretary-General's report on business and human rights and the UN system.

The IOE, ICC and BIAC welcomed the UN "protect, respect and remedy" framework because it distinguishes clearly between the responsibilities of the various players and helps to clarify the complex interface between human rights and companies. The three federations appreciate that the UN framework and the Guiding Principles are the basis for any UN agenda for business and human rights.

The UN system has a crucial role to play with regard to the advancement of business and human rights and the dissemination and implementation of the Guiding Principles. The focus of the United Nations Secretary-General's report, however, needs to be clearly distinguished from the work of the newly established UN Working Group on Business and Human Rights: Whereas the Working Group focuses on promoting the Guiding Principles through its work with stakeholders around the globe, the Secretary-General's report takes an inside view on how to optimally use the UN system to promote the Guiding Principles. It would be therefore counterproductive if the Secretary-General's report in any way forestalled the work of the UN Working Group or the relevant stakeholders. The IOE, ICC and BIAC urge that this nuance be taken into consideration to avoid any unintentional consequences or confusion.

The IOE, ICC and BIAC have already provided joint recommendations to the work of the UN Working Group, which remain valid and are annexed to this input. With regard to the approach to be taken by the UN system, our three business organizations stress the urgent need for the UN to hold their member states more accountable to the state duty to protect component of the UN framework on business and human rights. The UN Human Rights Council has to play a major role in this regard, but there are also other UN bodies, which have the responsibility to strongly promote the more effective implementation of human rights' protection at national level.

Particular attention must be paid by the UN agencies to states that are not in a position to implement and enforce human rights effectively. A Task Force might be set up to develop a more coherent approach within the UN system as well as recommendations on how UN agencies can better cooperate in delivering technical assistance for states that require it.

In order to disseminate the Guiding Principles as widely as possible, their translation into a wide range of languages is of utmost importance. Sufficient funding for translation should be made available to be able to provide as many constituents and stakeholders as possible with a language version which with they are familiar.

It is of importance that within the approach to promote the Guiding Principles through the UN system, the roles and responsibilities of the different UN agencies are respected. This means, for instance, that the leading role of the ILO regarding all labour and social issues must be fully recognized, particularly as they relate to the 1998 Declaration in the principles.

Finally, any action taken by the UN needs to be consistent with the UN framework and the Guiding Principles. The Office of the High Commissioner for Human Rights might have the oversight responsibility in this regard.

Companies are the source of employment, growth and poverty reduction, and contribute to the promotion of human rights through their business activity. The former UN Secretary General Kofi Annan stated that "it is the absence of broad based business activity, not its presence, that condemns much of humanity to suffering". Against this background, the IOE, ICC and BIAC are prepared to constructively contribute to any UN agenda on the dissemination and implementation of the Guiding Principles and trust that their comments will be taken into account in the drafting of the report.

We stand ready to continue to engage with and support UN system activities with regard to its engagement with these principles.



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ABOUT THE IOE, ICC AND BIAC

About the International Organisation of Employers (IOE)

The IOE is a membership organization that promotes the interests of employers and their organizations from all over the world at the international level through representation, information and advice. The IOE provides leadership for the business community in all areas of social and labour policy and proactively participates in international policy development that seeks to create a framework that underpins enterprise creation and development. It provides an international forum that brings together national employers' organizations and their members from around the world and facilitates the exchange and transfer of information, experience and good practice amongst the business community globally. The IOE was founded in 1920 and today represents 150 national members in 143 countries.

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About the International Chamber of Commerce (ICC)

ICC is the world business organization, a representative body that speaks with authority on behalf of enterprises from all sectors in every part of the world. The fundamental mission of ICC is to promote an open international trade and investment system and the market economy, and to help business corporations meet the challenges and opportunities of globalization. Business leaders and experts drawn from ICC's global membership establish the business stance on broad issues of trade and investment policy as well as on vital technical subjects. ICC was founded in 1919. Today, it groups thousands of member companies and associations from 130 countries.

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About the Business and Industry Advisory Committee (BIAC) to the OECD

BIAC is an independent international business association that was established to provide business advice to the government policymakers at Organisation for Economic Cooperation and Development (OECD) on the full range of issues related to globalization and the world economy. BIAC promotes the interests of business by engaging, understanding and advising policy makers on a broad range of issues. Through its 37 policy groups covering most aspects of OECD work, BIAC members participate in meetings, global forums and consultations with the OECD leadership, government delegates, committees and working groups. BIAC was founded in 1962 and established formal relations with the OECD that year, and today represents 41 national members in the 34 OECD countries.

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