



Keynote presentation
Ryerson University Conference:
***“Where to from Here: A Canadian Strategy for the
UN Principles on Business and Human Rights?”***

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Human rights and business: the links



Emblematic cases demonstrating that companies
can affect human rights negatively



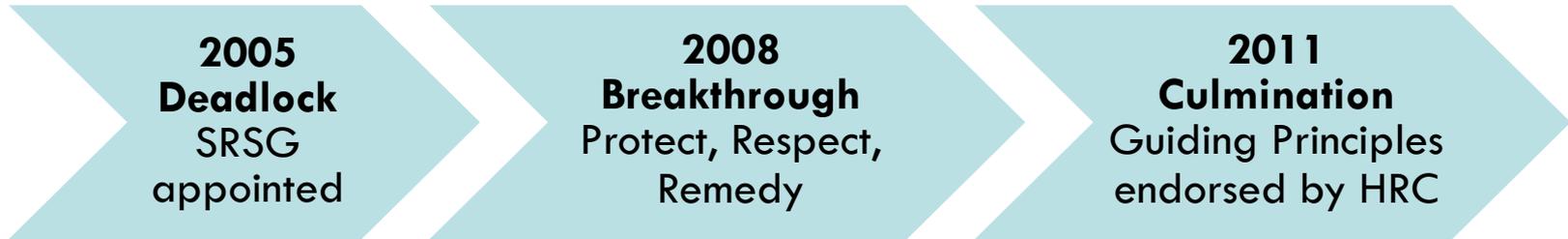
Human rights and business – the challenge



UN Response 2005-2011



*John Ruggie
Special Representative of the UN
Secretary-General (SRSG)*

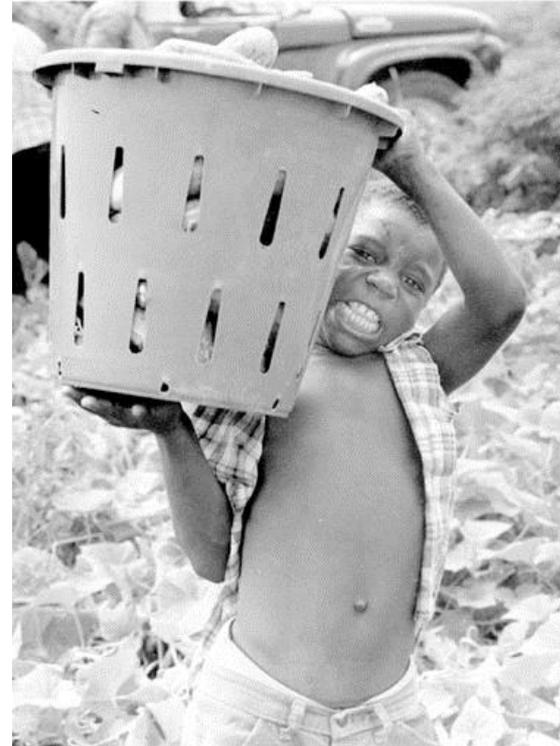


- Human Rights Council mandates
 - *Identify and clarify standards of Corporate Responsibility*
 - *Clarify role of States*
 - *Provide guidance on the implementation of the Protect, Respect, Remedy Framework*

Development of the Guiding Principles



- **Principled pragmatism:** “to reduce corporate-related human rights harm to the maximum extent possible in the shortest possible period of time”
- **Evidence-based:** extensive research, 47 multistakeholder consultations (by 2011), including extensive involvement of business



WHAT to Do – 3 Pillar Framework



State Duty to **Protect**

- Policies
- Regulation
- Adjudication

Corporate Responsibility to **Respect**

- Act with due diligence to avoid infringement
- Address adverse impacts on human rights

Access to **Remedy**

- Effective access for victims
- Judicial and non-judicial

HOW to Do – Guiding Principles



- Unanimously endorsed by the UN HRC (HRC resolution 17/4)
– strong government foundation
- Endorsed by leading business organisations, individual companies, trade unions, civil society
- Authoritative global reference point: provide overarching standard and benchmarks for action and accountability
- Structured on the three pillars
- 31 Principles – 14 to business – to implement the Framework

Key features of the GPs



- All States.
- All companies, of all sizes, in every sector, in any country.
- Distinct, but complementary responsibility between States and companies
- No new legal obligations – but elaborate on implications of existing obligations and practices for States and business.
- Do not preclude international or national legal developments
- Contains “smart mix” of regulatory and voluntary approaches
- Human rights cannot be offset: doing good in one aspect cannot compensate human rights harms elsewhere.

Convergence in global frameworks and standards



Working Group on B&HR



- Human Rights Council resolution 17/4 Working Group on the issue of human rights and TNCs and other businesses. Mandate:
 - Promote **dissemination and implementation** of GPs
 - Promote **good practices and lessons learned** on implementation, assess and make recommendations, as well as seek and receive information in that context
 - Support efforts to promote **capacity-building** and use of the GPs, provide advice and recommendations on legislation and policies upon request
 - Conduct **country visits**
 - Explore options for enhancing access to effective remedies
 - Integrate gender perspective and attention to vulnerable persons, including children

Annual Forum

- Multi-stakeholder
- Discuss trends and challenges in implementation
- Promote dialogue

- Michael Addo (Ghana)
- Alexandra Guaqueta (Colombia/USA)
- Margaret Jungk (USA)
- Puvan Selvanathan (Malaysia)
- Pavel Sulyandziga (Russia)

B&HR Forum



- Resolution 17/4
 - Discuss **trends and challenges** in implementation of UNGPs.
 - Promote **dialogue and cooperation** on business and human rights.
 - Under guidance of the Working Group.
 - Open to all relevant stakeholder groups: Including States, business, civil society, affected individuals and groups and other relevant stakeholders.
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Challenges



- Impatience with speed of implementation
- Lack of capacity of most key actors to advance effective implementation
- Possible new process at the Human Rights Council to develop a legally binding treaty on BHR