



UN BUSINESS AND HUMAN RIGHTS FORUM HIGH LEVEL PLENARY SESSION: “PREVENTING BUSINESS-RELATED HUMAN RIGHTS ABUSES: THE KEY TO A SUSTAINABLE FUTURE OF PEOPLE AND PLANET”

16 November 2020 | Online intervention

Key messages:

- The response of business and ICC to Covid-19 is a clear indication of the private sector’s instinctive commitment to promoting human rights.
- However, there still a long way to go in delivering on the vision of the UN Guiding Principles (UNGPs).
- Moving into the second decade of UNGPs implementation, there is an imperative to focus on achieving scale.
- ICC is uniquely positioned to support the Working Group in this regard.
- This will require a much greater focus on SMEs – and the tools, capacity building and ecosystems that will be required to allow smaller businesses to take effective action.
- We also need to focus on policy interventions that can have real impact in the real world.

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- Protecting human rights will be central to a sustainable and inclusive future but **human rights are equally critical to the immediate response** to Covid-19.
- The business community knows that **the only way to counter the human and economic effects of the crisis is to put people first** and to ensure that the rule of law and good governance are upheld.
- **The private sector has responded to the public health risks with remarkable efforts:**
 - The results of a survey that ICC conducted with the WHO early this year showed that **well over two-thirds of businesses had immediately made significant changes to their workplaces** with the express aim of safeguarding the wellbeing of their employees.
 - Moreover, many firms — large and small — made rapid changes to their operations to produce urgently needed products to stop the spread of the virus, from hand-sanitizer to personal protective equipment.
 - In recent months, ICC has been working with a range of partners to **pilot a new standard — ICC AOKpass — to restore global mobility for vulnerable communities** whose livelihoods depend on migrant work.
- ICC has consistently made the case for **governments to take action to ensure that the tools needed to fight the pandemic are made available to everyone, everywhere.**
- Full capitalization of WHO’s ACT-Accelerator will be vital if we are to ensure a response to the pandemic that values the human rights of every citizen across the world.

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- The business response to the pandemic provides a clear indication of its genuine commitment to deliver for the communities in which it operates – and indeed, society at large.
- These good practices can act as a catalyst for accelerated action to deliver on the promise of the UN Guiding Principles (UNGPs) as we approach the 10th anniversary of their adoption.
- ICC fully supports the reaffirmed commitment of the UN Working Group on Business and Human Rights to prevent adverse impacts on people and the planet that may result from business activities.

- As the 10th anniversary of their adoption **approaches, we encourage the implementation of the UNGPs with a central focus on achieving genuine scale.**
- A dimension of this challenge lies in corporate action.
- The work of embedding the UNGPs into **corporate practices** has gradually picked up speed in recent years – with risk assessments, enhanced supply chain due-diligence and human rights training all now routinely implemented in many multinational enterprises.
- But the **real challenge ahead is to enable all businesses** – regardless of size, sector or location – **to embed respect for human rights in their operations.**
- This will **require an increased focus on delivering the tools, capacity building and ecosystems needed to allow small businesses to take meaningful action.**
- Given the immense employment footprint of SMEs – and the critical role they play throughout global value chains – it’s imperative that efforts to speed implementation of the UNGPs do not solely or disproportionately focus on the performance of brand-name multinationals.
- ICC calls for **the Working Group’s support as we work to identify ways to leverage the unique reach of ICC’s global network** to embed respect for human rights throughout local economies.

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- **Public policy reform** is crucial to sustainable action.
- We note the steady spread of a “patchwork” of mandatory measures, or in some cases a “smart mix” of voluntary and mandatory measures, across many jurisdictions, and encourage policy makers to involve business in consultations during the development of such measures.
- In the context of this patchwork of measures, we **understand why some stakeholders are attracted to the idea of a binding global treaty** to regulate the nexus between business and human rights.
- **Any such instrument needs to be genuinely workable** and reflect the legal complexities noted in the UNGPs. **What matters is not the nature of an instrument per se, but whether it delivers impact** in ensuring respect for human rights.
- Looking to the second decade of the UNGPs, ICC’s view is that we must place an absolute **focus on policy interventions that can make an immediate difference in the real world** — especially for those most vulnerable to human rights violations.
- This **will require a variety of initiatives at different levels – underpinned by true openness and collaboration** between business, governments and civil society.
- The Working Group can help to identify promising government initiatives and how these might be replicated to create an internationally consistent “smart mix” of policies capable of **accelerating implementation** of the UNGPs.
- The private sector looks forward to collaborating with the Working Group to ensure that human rights are front and centre of the response to Covid-19 – and, moreover, foundational to our common efforts to secure a “resilient rebuild” from the pandemic.