Introduction


A diverse range of stakeholders took stock of how governments, businesses and other actors such as civil society and national human rights institutions (NHRIs) are addressing the impacts of business activities on human rights.

Around 1000 persons from 85 countries participated in the Forum, including representatives from states, intergovernmental institutions, the United Nations, academic, business, civil society, trade union, and research institution representatives.

A total of 45 NHRI representatives from Kenya, Ghana, Morocco, Korea, Mongolia, New Zealand, Nicaragua, Scotland, Canada, Uganda, Zambia, Norway, Malaysia, Finland, Venezuela, Denmark and Cambodia participated in the Forum.

In addition to the wide cross-regional representation of NHRIs, the ICC was represented by the ICC Chair Dr Mousa Burayzat, ICC Regional Chair for Europe Professor Alan Miller, and several ICC Working Group on Business and Human Rights members.

“The first Forum on Business and Human Rights has already exceeded all expectations. The much higher than anticipated turnout indicates the interest from all stakeholders in the business and human rights (BHR) agenda,” said the Chair of the UN Working Group on Business and Human Rights Puvan Selvanathan.
The Forum was established by the Human Rights Council through its resolution 17/4 (para. 12), and structured into plenary meetings and parallel breakout sessions on the overall theme ‘to map the road ahead for advancing implementation of the Guiding Principles’.


Challenges related to particular sectors, operation environments and specific rights or groups were explored.

‘The Guiding Principles include both preventive and remedial measures; neither is a substitute for the other’ said former UN Special Representative on Business and Human Rights and author of the Guiding Principles John Ruggie.

The ICC Chair, and representatives from the Scottish Human Rights Commission, the Danish Institute for Human Rights, the Ghana Commission on Human Rights and Administrative Justice and the Canadian Human Rights Commission contributed to the Forum with formal interventions on various thematic issues at plenary and side events.

**ICC Working Group on Business and Human Rights- Side Event**

On 3 December 2012 the ICC Working Group on Business and Human Rights hosted a well-attended side event in collaboration with the Francophone Association of NHRIs (AFCNDH) and with the support of the International Organisation of the Francophonie (OIF).

The objectives of the event, moderated by AFCNDH resource expert Mr. Olivier Maurel, were to raise awareness about NHRIs' central role in implementing the UN Framework and Guiding Principles and to promote NHRI capacity building and stakeholder engagement to this end.

Representing the Canadian Human Rights Commission in its capacity as Chair of the ICC Working Group on Business and Human Rights, Myriam Montrat affirmed the individual and collective commitment of NHRIs to the business and human rights agenda as reflected in the 2010 ICC Edinburgh Declaration and regional strategic action plans and recognised by the international community in the July 2011 Human Rights Council resolution (17/4) and UN Guiding Principles.

It was underscored that the special role and functions of Paris Principles compliant NHRIs with respect to business and human rights are clearly set out under, and relate to, each pillar of the UN Protect, Respect, and Remedy Framework.

As presenters highlighted NHRIs' individual and collective commitment to the business and human rights agenda, participants were informed of the precedence for NHRI engagement with business enterprises in the implementation of their domestic human rights mandates and activities of the ICC Working Group on Business and Human Rights in supporting the strategic planning and capacity development of NHRIs on business and human rights.

Looking ahead, NHRIs were encouraged to continue to collaborate with relevant actors in supporting the effective implementation of the United Nations Guiding Principles in keeping with the Paris Principles.
Representatives of the National Human Rights Commission of the Republic of Korea, the Conseil Consultatif des Droits de L’Homme du Maroc, and Danish Institute for Human Rights provided best practice examples of NHRI work in relation to the three pillars of the UN ‘Protect, Respect and Remedy’ Framework.

The Director General of the Human Rights Policy and Education Bureau at the National Human Rights Commission Korea, Mr. Seok-Mo An, shared experiences from Korea on how NHRIIs can effectively contribute to the State duty to protect. Among other activities, these include:

- Translating the UN Guiding Principles into Korean and disseminating them;
- Hosting multi-stakeholder forums each year with the Korean Chamber of Commerce and Industry, civil society and workshops with universities;
- Undertaking a comprehensive research program regarding regulations, policies and practices, to make recommendations to their Government;
- Ensuring the inclusion of business and human rights issues in the Korean National Human Rights Action Plan; and
- Hosting in partnership with the Asia Pacific Forum (APF) the Asia Pacific Regional Conference on business and human rights in Seoul, at which participants endorsed a plan of action for follow up to the ICC Edinburgh Declaration.

The member of the Conseil Consultatif des Droits de L’Homme du Maroc Mohammed Khouya highlighted key activities of the Conseil’s in promoting corporate responsibility to protect human rights, including by developing a national road map for the implementation of the ICC Edinburgh Declaration and training young university graduates in the principles of ethical business.

For the Danish Institute for Human Rights (DIHR), Dr. Claire Methven O’Brian illustrated how NHRIIs can provide effective and appropriate non-judicial grievance mechanisms for victims of human rights abuses by corporate enterprises by, as the DIHR, serving as national contact points for the former.

UN Working on Business and Human Rights Chairperson Margaret Jungk presented a perfect vision of the world in which governments, companies, workers, investors, NGOs and consumers are tuned into human rights and work together to fulfil their human rights obligations.

‘NHRIIs can speak to every point of that perfect vision. They have special capacity to understand what is going on. They are natural partners of governments and civil society. NHRIIs arose from the very hub of international society. In terms of companies, they are more likely to be trusted than governments are’.

‘The commentary was timely and significant given the breath of expertise that she brought and the weight of the UN Working Group’s perspective’, said the ICC Chair Dr. Mousa Burayzat.

The OIF closed the side event by providing an update on its efforts to support Francophone NHRIIs in developing their capacity in the area of business and human rights.

UN Forum on Business and Human Rights
NHRIIs made a total of six interventions on cross cutting business and human rights themes, reflecting the broad mandate and competencies of NHRIIs.

Interventions were made on the following topics:

- **State duty to protect**, by ICC Regional Chair for Europe Alan Miller;
- **Taking Stock of Government Experiences to Date of Implementing the Guiding Principles**, by Chairperson of the Ghana Human Rights and Justice Commission and ICC Working Group on BHR Member Lauretta Lamptey;
- **Responsible Investment in Myanmar**, by Director of the Human Rights and Business Department at the DIHR Allan Jorgensen;
- **Lessons learned from its official country mission in Mongolia**, by Adviser to the Human Rights and Business Department at the DIHR Dylan Tromp;
- **Host state-investor agreements**, by Adviser to the Human Rights and Business Department at the DIHR Nora Gotzmann;
- **Developing an Agenda for Comprehensive Capacity Building in Implementation of the Guiding Principles**, representing the CHRC as Chair and Americas member of the ICC Working Group on Business and Human Rights Myriam Montrat.

During the **closing session** of the Forum, ICC Chair Dr. Moussa Burayzat informed participants that NHRIIs remain committed to working with all relevant stakeholders and rights-holders to ensure policy coherence on human rights between governments and business enterprises, at the domestic, regional and national levels.

Key documents, presentations and live webcasts of the Forum are available on the OHCHR and ICC webpages:


http://nhri.ohchr.org/EN/Themes/BusinessHR/Pages/Home.aspx

**Ways forward**

The first UN Forum on Business and Human Rights marked the momentous interest in and commitment to the business and human rights agenda, and highlighted the unique role of NHRIIs as a bridge among government, civil society and business enterprises in holding all concerned stakeholders to the highest level of accountability.

As stated by the UN Special Representative on Business and Human Rights John Ruggie, ‘collective entities are better equipped to respond to collective needs’.

Delegates resolved to address the urgent need to reduce the incidences of corporate related harm to the maximum extent in the shortest period of time, an exercise that calls for increased capacity building of governments, businesses and civil societies as well as human rights education and training.