Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights

1st session (6th – 10th July 2015)

Statement by
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Permanent Observer

On behalf of the Council of Europe

Geneva, 6th July 2015
Ladies and gentlemen,

The Council of Europe, as an intergovernmental organisation which seeks to protect human rights, democracy and the rule of law in our 47 member states across Europe, takes a great interest in the issue of business and human rights in general, and the first session of this open-ended working group in particular.

Previous related work of the Human Rights Council, in particular the adoption of the UN Guiding Principles on Business and Human Rights in 2011, has been closely followed and much welcomed by the Council of Europe. Our Committee of Ministers has adopted a declaration in 2014, endorsing the UN Guiding Principles on Business and Human Rights as the current globally agreed baseline in this area, and expressed its strong support for their implementation by all member States of the Council of Europe. The Committee of Ministers’ annual thematic debate on common human rights questions with the UN focused this year on business and human rights. Members of the UN Working Group on Business and Human Rights as well as many experts from capitals participated in this very fruitful debate.

Finally, a drafting group composed of national experts from our member states, together with observers from both the private sector and civil society, are currently drafting a “Recommendation to member states on business and human rights” which is expected for adoption by the Committee of Ministers next year. Unlike the subject-matter of the present open-ended intergovernmental working group, the draft Recommendation will not be a binding instrument. However, it intends to facilitate the implementation of the UN Guiding Principles within our 47 member states, close existing gaps (in particular with regard to the issue of access to remedy) and put the Principles in relation to Council of Europe standards, in particular the European Convention on Human Rights, as applied and interpreted by the European Court of Human Rights. The draft recommendation also intends to mark a further step in the recognition that transnational enterprises and other business have a responsibility to respect human rights.

We therefore consider that this ongoing work within the Council of Europe can stimulate the discussion and raise some interesting aspects for the debate within this open-ended intergovernmental working group.

Thank you very much.