



UNITED NATIONS
HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER

**Working Group on the issue of human rights and transnational corporations
and other business enterprises**

African Regional Forum on Business and Human Rights

**Closing statement by Margaret Jungk,
Vice-Chair of the UN Working Group on Business and Human Rights**

18 September 2014

I want to begin by thanking AU Commission, the UN Economic Commission for Africa and the Office of the UN High Commissioner for Human Rights for their tremendous support. I also want to thank the government of Ethiopia for providing such a beautiful setting for this dialogue to take place.

This unique multi-stakeholder gathering on business and human rights has no precedent in the region. This is the first time we have had such a wide range of actors from across the continent—including community members, civil society, business practitioners and public officials—to discuss the impacts of business activities on human rights in Africa, and ongoing initiatives to address them.

African economies have experienced impressive growth in the last decades, not just in economic activity and investment, but also in development and democracy. At the same time, there has been increasing attention to the effects of this growth and investment on the environment, workers and local communities.

Within this context, African states played an active role in the development of the UN Framework, and joined the global consensus endorsing the UN Guiding Principles. We are pleased to see so many implementation efforts taking place across the continent. We heard from governments formulating legislation and launching National Action Plans in line with their commitment to protecting human rights. We've heard from businesses carrying out human rights due diligence as part of their duty to respect human rights.

And crucially, we've heard from communities directly affected by business operations. Many of these communities were invited to the Forum by Global Rights, and we want to acknowledge their role in ensuring that these views are represented here. These participants highlighted the role the UN Guiding Principles have played in reaching companies, and the importance of a shared understanding of responsibilities in reaching a consensus. We heard from a number of participants how the UN Guiding Principles have been a platform for breaking political deadlock, and for transcending the adversarial roles that once characterized relationships between communities and companies.

I want to pick up on a few of the themes and actions suggested by participants in this Forum.

The first is the importance of National Action Plans as a tool to advance the business and human rights agenda. Some of these plans are already being developed by states, and we want to stress that such plans should include inclusive consultation, and should be followed up with concrete improvements in laws and enforcement mechanisms.

Second, we've heard strong calls from Forum participants to enhance access to effective remedy. Across the continent, legal and practical barriers prevent victims of corporate human rights abuses from filing complaints and from having those complaints addressed. As in the past, we call upon governments to clarify opportunities to improve legal remedy, to build capacity of judicial personnel, and to strengthen the independence of the judiciary. We also support initiatives to improve non-judicial remedy, both by governments and companies.

Third, we must ensure that the UN Guiding Principles links with other agendas working toward our shared goal. Anti-corruption, sustainable development and revenue transparency are critical issues for ensuring that economic growth does not come at the expense of human rights. The Guiding Principles are not an end in themselves, but a tool for reaching this goal, and we need to ensure that our work build on, and benefits from, the momentum generated by other initiatives.

These themes will be further developed at this year's Annual Forum on Business and Human Rights, and will inform the activities of the Working Group as we continue to promote multi-stakeholder engagement and the implementation of the UN Guiding Principles.

I want to close this Forum by acknowledging some of the challenges we still face. Investments by foreign companies are increasing, and the conditions under which these investments are made are rarely made public. Lack of oversight and transparency in state-owned enterprises is emerging as a major challenge. The agribusiness, telecom and retail sectors are becoming major generators of employment and revenue across the continent, and scrutiny of their operations has not grown apace.

We need solutions that take into account these challenges, and acknowledge the realities of 21st century globalization. This is a dialogue among the key economic and political actors driving global corporate accountability. Our role in the UN Working Group is to provide a constructive space to solve problems and find innovative approaches. We look forward to continued engagement with the African Union and with stakeholders in the region.