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Opening remarks

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Dear Colleagues and Friends,

Good morning. On behalf of the UN Working Group on Business and Human Rights and the OHCHR Forum Secretariat, I would like to warmly welcome you to the Fifth Annual UN Forum on Business and Human Rights.

This Forum is the largest and most diverse global gathering on business and human rights in the world. Since 2011, it has grown steadily in size and focus areas. This year, we have some 2,500 participants ranging from community representatives, human rights defenders, and civil society organizations to government officials, company representatives, investors, banks, law firms, and academia. We also have a full programme with some 65 plus sessions over three days.

It is now five years since the United Nations unanimously endorsed the Guiding Principles on Business and Human Rights – and we are thrilled to have their author, Professor John Ruggie, here to speak in the first of our plenary sessions.

The achievements made in just five years have been substantial and they should be celebrated. The Guiding Principles are *the* authoritative blueprint for State and business action to prevent, mitigate and redress business-related harm. They derive their force and legitimacy from their foundation in existing international human rights law. Rather than being ‘voluntary’ in nature, they provide authoritative guidance as to the application of existing international human rights standards to business-related harm.

In a relatively short period of time, the Guiding Principles have been integrated into standards and policies of many international and regional organizations, in Governments’ national action plans, policies and regulations, business policies, as well as industry standards. What is more, the Guiding Principles are reaching ‘new’ audiences – law firms, investors, banks, accountants, insurers, and even sports organising bodies. In the next few days we will have an opportunity to take stock of such main developments, initiatives and efforts.

Ladies and gentlemen,

Despite real progress and the many achievements in moving the business and human rights agenda forward, now is not the time for complacency.

As a representative of an indigenous people myself, I witness first-hand the impacts that business operations can have on indigenous peoples and local communities, on vulnerable groups of the population. And while some businesses and governments make real efforts to respect the rights of those most at risk, we hear about adverse impacts every day. As a representative of indigenous peoples, I can affirm that indigenous peoples are not against development and not against economic progress, but we believe that this development should not be built on the death and destruction of their cultures and their lands. And if such development can and will proceed due to the attraction of indigenous peoples' lands and natural resources, it is necessary to include their direct participation and informed consent.

What is more, victims of business-related human rights abuses continue to struggle to access remedy. Some of the main initiatives to address this problem will be discussed at this Forum, including deliberations on a new internationally-binding instrument and the outcome of the Accountability and Remedy Project (by the Office of the UN High Commissioner for Human Rights) that was presented to the Human Rights Council in June this year. In my view, *the true test of our collective achievements* — and at the heart of the Guiding Principles — is the protection of the rights of those individuals and communities who are affected, or most at risk of being affected, by business-related abuse: indigenous peoples and other communities dependent on land and natural resources; women; children; persons with disabilities; migrant workers; LGBTI; and many others.

My question to you is: Are we serving the people who are most vulnerable to the best of our intention and abilities? Can we do more? I believe we *can*, and *should*, do more. It is both the right and the smart thing to do.

You know, by virtue of the implementation of our mandate, we visit various countries and we meet and talk with various parties of this process — representatives of government, corporations and financiers, on the one hand, and indigenous peoples, human rights activists

and representatives of civil society, on the other hand. And here we almost always face the same situation: Some tell us fairy tales and draw beautiful pictures of life in their country, generally depicting a life of paradise, while others give examples of murders, repressions and instances of destruction of their habitat. Also, there is a feeling that these people live in different countries, in different places, in different regions. Sometimes it seems they are just visiting each other, and sometimes interfering without asking permission. But, in the end, they are like neighbours, although not very good ones. However, there are cases when stories of these divergent parties are similar to stories of people from different planets. Nothing in common! And this is terrible. It is clear that there have always been — and there will continue to be — problems, and that contradictions will arise. All of our life consists of resolving problems. But all of us together have to make it so that everyone has a sense of life on one planet with a feeling of a united community. Because we really do live on one planet and we don't have another.

And so my hope for the next five years of this business and human rights journey, is that our collective work to implement the Guiding Principles truly serves the people who are most at risk of suffering harm and have little recourse to a remedy.

Friends,

During these three days, we have the great opportunity to hear from indigenous representatives, human rights and women's rights defenders, the LGBTI community, persons with disabilities, and others about the struggles they face, but also the leadership and courage they show to claim their rights and seek remedy. I encourage all of you to listen to them and bring their perspectives back from Geneva to your daily work.

We will also have the opportunity to hear about what leading governments, companies, investors, banks, and others are doing to take their human rights responsibilities seriously, and to meaningfully engage with affected stakeholders. The cumulative wealth of experience gathered here is impressive, and I encourage you to take full advantage of it.

Ladies and gentlemen,

Given the historic adoption by the United Nations of the 2030 Agenda for Sustainable Development last year, it is fitting to move directly on to our first plenary of the Forum, which will discuss how business entities can contribute meaningfully to the Sustainable Development Goals (SDGs).

There is clear alignment between the business and human rights agenda and the global development agenda. The 2030 Agenda for Sustainable Development explicitly cites the need for businesses to respect the Guiding Principles on Business and Human Rights and international human rights agreements in solving sustainable development challenges (paragraph 67).

Today, the SDGs garner much attention and resources from everyone, including business enterprises — and rightly so. We commend businesses for taking to heart the call to contribute positively to achieving the Global Goals. What it means for their responsibility to respect human rights is two things:

- First, in their contributions to the SDGs, businesses must ensure that no harm is caused to people throughout their core operations and in their relationships with others.
- Second, businesses should realize that they can make a *unique* contribution to achieving the SDGs by putting respect for human rights at the core of their efforts, such as through protecting rights at work, ensuring everyone is treated equally and fairly, or ensuring positive impacts on communities affected by business operations. Implementing the UN Guiding Principles is not a distraction: it is in itself a contribution to achieving the Global Goals.

We could not have asked for a better line-up of speakers to help us understand the opportunities, as well as challenges, that the 2030 Agenda for Sustainable Development offers for business and human rights, and vice-versa. Without further ado, I would like to give the floor to Kate Gilmore, Deputy High Commissioner for Human Rights, who is moderating this plenary session.