

**Work programme
of the United Nations Working Group on Business & Human Rights
CIDSE submission - December 2011**

As an international alliance of Catholic development agencies, CIDSE followed the work of the UN Special Representative for Human Rights and Transnational Corporations and Other Business Enterprises throughout the 2005-11 mandate. Many of our partner organisations in Africa, Asia and Latin America have direct experience of the harm that can occur if companies ignore their impact on human rights. Recognizing that for many affected communities the UN process has yet to deliver concrete improvements, we called for a strong follow-up mechanism in order to build successfully upon the work of Professor Ruggie's mandate.

CIDSE therefore welcomes the opportunity to share our views and expectations regarding the future work of the United Nations Working Group on business and human rights. The role of the United Nations is, above all, to defend rights-holders and victims of human rights violations. Consequently, we believe that in interpreting its mandate and setting its future work plan, the Working Group should focus its resources on the goal of how best to prevent and substantially reduce cases of serious corporate violations of human rights.

1. Ensuring implementation of the Framework is effective

The UN Human Rights Council gave its unanimous support for the Protect, Respect and Remedy Framework, together with a tool for its implementation, the Guiding Principles. In this new phase, CIDSE and its members, together with our partners, will be working at national level on the implications of effective implementation of the Guiding Principles and Framework for government policies and corporate practices. Priorities for CIDSE members and our partner organizations are that governments and businesses take concrete preventative measures to ensure that abuses are avoided. Where these policies and practices do not meet the standards laid out in the Guiding Principles and Framework, we will signal this. Making use of the mandate's powers to advise and make recommendations on domestic legislation and policies relating to business and human rights, the Working Group could provide crucial support in cases of incoherence between government policy decisions and the Guiding Principles and Framework.

2. Learning from in-depth evaluation of emblematic cases

Like many other civil society organizations, government departments and businesses, CIDSE will be testing the ability of the Guiding Principles to bring about concrete improvements to affected communities with whom we work in Nigeria, Mexico, Peru and other countries. As improving situations on the ground is the ultimate benchmark for the Guiding Principles, we believe the Working Group should prioritize attention to in-depth evaluation of local reality and specific cases. For example, a significant and helpful aspect of the Guiding Principles relates to how companies can introduce effective policies and procedures into their internal systems, and carry out human rights due diligence. However, this also needs to be balanced by the view from the rights-holders' perspective, in order to test how corporate behavior has actually changed. The mandate's powers to seek and receive information and conduct country visits provide important leverage for the Working Group to give a voice to rights-holders. We recommend that in order to assess the effectiveness of measures taken to implement the Protect, Respect, Remedy Framework and the Guiding Principles, and make recommendations thereon, the Working Group should examine emblematic cases of human rights violations, drawing out lessons learned and identifying obstacles in order to close governance gaps on

business and human rights. In this respect cooperation should be sought with other UN bodies engaged in research, conclusions and recommendations, including the UN Group of Experts on the Democratic Republic of Congo.

3. Addressing the need for better protection

In discussions with partner organizations to date, one of the challenges identified has been how the Guiding Principles will change the situation on the ground in contexts where the government is unwilling or unable to protect citizens from corporate abuses. We believe that further work is needed on the theme of access to justice. Many human rights defenders face threats of violence or even death, and new multilateral approaches are needed to help people in conflict-affected regions such as in Colombia, the Philippines, and the Democratic Republic of Congo. Greater clarity on enhanced standards and increased legal protections remain key for the communities and groups with whom we work. This is an area which we believe should be prioritized within the Working Group.

CIDSE looks forward to contributing the experience and expertise gained from our work with partner organizations and affected communities, in order to help the Working Group succeed in its crucial mandate to protect rights-holders and victims of corporate abuse of human rights.



CIDSE Members



CIDSE is an international alliance of Catholic development agencies. Its members share a common strategy in their efforts to eradicate poverty and establish global justice. CIDSE’s advocacy work covers global governance; resources for development; climate justice; food, agriculture & sustainable trade; and business & human rights.

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