

**First session of the open-ended intergovernmental working group
on transnational corporations and other business enterprises with
respect to human rights**



Opening statement by

Ms. Flavia Pansieri

Deputy High Commissioner for Human Rights

Palais des Nations Room XX

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Excellencies,
Distinguished delegates and observers,
Ladies and gentlemen,

On behalf of the Secretary-General, I am pleased to open the first session of the open-ended intergovernmental working group on the elaboration of a legally binding instrument on transnational corporations and other business enterprises with respect to human rights.

The Human Rights Council, in its resolution 26/9, established this working group, with a mandate to elaborate a legally binding international instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises.

The Human Rights Council also decided that this first session of the working group shall be dedicated to collecting inputs and conducting constructive deliberations on the possible principles, content, scope, nature and form of the future international instrument. The working group will present a first progress report to the Council at its thirty-first session, in 2016.

Resolution 26/9 stressed that the primary responsibility for the promotion and protection of human rights and fundamental freedoms lies with the State, and that States must protect against human rights abuses by third parties, including transnational corporations. The resolution also emphasized that transnational corporations and other business enterprises themselves have a responsibility to respect human rights.

The resolution acknowledges that transnational corporations and other business enterprises both have the capacity to contribute to economic well-being, and to cause adverse impacts on human rights. The challenge therefore, is to harmonize economic activity with the protection of human rights.

Of course, civil society actors and national human rights institutions also have important and legitimate roles to play in promoting human rights in the economic sphere, and in monitoring and advocating for prevention and remedies for abuses.

The Human Rights Council also took account of the previous work undertaken by the Commission on Human Rights and the Human Rights Council on the question of the responsibilities of transnational corporations and other business enterprises with respect to human rights.

Distinguished delegates,

I am delighted to welcome representatives from States, civil society and the business community here today. Many of you have travelled from far afield to be present. Your experience and perspectives will be essential to the discussions over the coming days.

This working group is open-ended. All UN and Observer States, specialized agencies and other intergovernmental organizations, national human rights institutions (NHRIs) accredited by the International Coordinating Committee and nongovernmental organisations with ECOSOC consultative status may participate in the deliberations.

Each of these diverse voices brings an important perspective to the challenge of identifying effective ways of preventing and redressing business-related human rights impacts and of ensuring greater accountability and remedy where such impacts have occurred.

I urge all of you to use this meeting as an opportunity to advance our mutually shared goal: more effective protection of human rights in the economic sphere.

Ladies and gentlemen,

The provisional programme of work before you for adoption features an ambitious array of panels and many distinguished expert speakers, reflecting strong and growing international interest in the topic of business and human rights.

I commend the Chair on the range of topics and the calibre of speakers. Together they bring a wealth of experience from different sectors – from academia; human rights mechanisms, international organisations, civil society and business.

Of course the value of the discussion depends not just on contributions from the speakers, but on the richness and openness of contributions from the floor. During the next few days, you will have the opportunity to participate in panel discussions on a range of issues. Your perspectives and guidance will be essential as we go forward.

You have a busy schedule ahead. It is my sincere hope that you will have a fruitful and constructive meeting. In this we commit the full support of the Office, and I wish you every success in your deliberations.

Thank you for your attention.