International Organisation of Employers
Organisation Internationale des Employeurs
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The Global Voice of Business

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Subject 8: International Cooperation

Thank you Mr. Chairperson-Rapporteur,

I am Vice President for Corporate Responsibility and Labor Affairs with the U.S. Council for International Business speaking on behalf of the IOE.

This intervention responds to the "International Cooperation" part of the "elements" paper.

- We'd like to begin with a question: While many elements focus on international cooperation between States and mutual assistance, why does the "elements" paper not propose measures to increase peer pressure between States to strengthen implementation of the UN Guiding Principles on Business and Human Rights?

- Peer pressure between States can be realized under the existing architecture by better harnessing the Human Rights Council's "Universal Periodic Review" process. We understand that States are starting to receive more recommendations from other States on the topic of business and human rights. This process could be used to encourage more "national action plans" (NAPs) on business and human rights that take note of the guidance prepared by the UN Working Group.

- National Action Plans have not had as much attention in this third session because there is no explicit reference to them in the "elements" paper. This is a pity. Taking aside the critique that some existing plans could have included more focus on the third pillar of the UN Guiding Principles, National Action Plans *are* a very practical and useful tool.

- National Action Plans play an important role in fostering cross-departmental Government engagement on business and human rights. They are also a helpful tool to allow States to engage with national stakeholders, including NGOs and business, on the ground. Even more importantly, National Action Plans can help foster international cooperation because the more States there are that have such a plan, the more the architecture allows for complementary processes to focus on advancing the business and human rights agenda in a coherent way.

- International cooperation is a broad topic that expands out beyond the specific discussions of this third session. The international business community is actively involved in a *large* number of initiatives on how to respond to social, labor and environmental challenges across the world, including the UN 2030 Agenda for Sustainable Development. Human rights are a central part, and the SDG agenda explicitly seeks to harness global partnerships and bring together Governments, the private sector, civil society, the United Nations system and other actors and mobilize all available resources.

- We are concerned, however, that *this* IGWG process sends a confusing message to business that, despite endorsing the UN Guiding Principles, the UN still has not made up its mind on how human rights risks apply to business and how business should engage in social issues as part of the broader challenge to achieve the sustainable development goals.

- In our view, this treaty initiative represents a contradictory approach, and a step backward. Moreover, in terms of the Global Partnership launched in 2015, it could also interfere with the momentum of the private sector working with governments and civil society to implement the SDGs.

I thank you for your attention.