



“Corporate human rights due diligence – identifying and leveraging emerging practice”

MULTI-STAKEHOLDER CONSULTATION

17 May 2018, 15:00-1800

Geneva, Palais des Nations, Room XII (Building A, 3rd floor)

Concept note prepared by the UN Working Group on Business and Human Rights

Background

The unanimous endorsement of the [UN Guiding Principles on Business and Human Rights](#) by the Human Rights Council in June 2011 laid down a clear global standard for the responsibility of business to respect human rights in all their operations. A major contribution of the Guiding Principles was to clarify the ***concept of corporate human rights due diligence: the process by which a company can “know and show” that it respects human rights.***

Since 2011, companies around the world have been taking steps to implement the responsibility to respect human rights, tailored to their particular situations, industries and operational contexts. Assessments to date suggest we are seeing emerging good practices on which to build, but also that the business sector at large is lagging, whether due to lack of awareness, capacity, willingness or sufficient understanding of what adequate due diligence entails. Challenges remain in relation to key aspects such as meaningful transparency, measuring human rights impact and performance, the exercise effective leverage in complex business relationships, and meaningful stakeholder engagement, particularly with regard to groups that are especially vulnerable to abuse in business contexts. Experience shows, however, that good due diligence is possible, and that a range of stakeholders can contribute positively to driving progress.

Against this background, the [UN Working Group on Business and Human Rights](#), which is mandated by the Human Rights Council to promote worldwide dissemination and implementation of the Guiding Principles, has decided to ***focus its 2018 report to the UN General Assembly on emerging practice and innovations of corporate human rights due diligence across sectors.*** The Working Group’s vision is that by bringing to light lessons learned, main obstacles and success stories from practical experiences, this can contribute to faster progress overall.

Full background note: <http://www.ohchr.org/Documents/Issues/Business/GenericConceptNote-CorporateHRdueDiligence.pdf>

Objective of the 17 May consultation

The Working Group is currently undertaking research and consultations to inform its report to the General Assembly, and the consultation on 17 May is a key meeting in this process. As the Working Group aims to develop practical and practice-based recommendations, it is consulting closely with business associations and enterprises. For example, it held a business-only consultation on 8 February. Inputs from other stakeholders are equally important, and for the consultation on 17 May, the Working Group would like to facilitate perspectives from governments and civil society in particular, while also welcoming inputs from other stakeholder groups.

The overall focus of the consultation is to explore perspectives on the current “state of play” of corporate human rights due diligence, good practice elements and examples, and ways forward.

Agenda

15:00-15:15	<p><u>Introduction and overview</u></p> <p>Working Group presentation on:</p> <ul style="list-style-type: none"> • Aims and objectives of the report on human rights due diligence • Consultation process • Tentative assessment of the current “state of play” • Key questions for the 17 May consultation
15:15-16:15	<p><u>The role of States</u></p> <p>Open discussion facilitated by the Working Group to address:</p> <ul style="list-style-type: none"> • How are States encouraging and incentivizing good practice human rights due diligence in line with the Guiding Principles (through measures such as regulation, policies, learning and dialogue platforms, oversight bodies, state ownership, trade promotion and economic diplomacy)? • Where is current State practice falling short? How can gaps be addressed?
16:15-17:15	<p><u>Identifying good practice approaches</u></p> <p>Open discussion facilitated by the Working Group to address:</p> <ul style="list-style-type: none"> • What good practice examples exist for HRDD elements such as: <ul style="list-style-type: none"> ○ Engaging affected stakeholders (communities and workers as well as human rights defenders and trade unions) in identifying and assessing risks and impacts ○ Exercising leverage to address potential and actual human rights impacts caused by business relationships (suppliers, sub-contractors, joint venture partners, government agencies and others) ○ Transparency and meaningful communication and reporting on risks and impacts and how they are being addressed ○ Integration of gender aspects ○ Tracking and evaluating effectiveness of HRDD
17:15-17:45	<p><u>Looking beyond business and States</u></p> <p>Open discussion facilitated by the Working Group to address:</p> <ul style="list-style-type: none"> • What are examples of other stakeholders incentivizing, enabling or supporting HRDD (e.g. investors, law firms, corporate advisory services, stock exchanges, benchmarking, civil society organizations)?
17:45-18:00	<p><u>Conclusion and next steps</u></p> <p>Wrap-up by the Working Group</p>

Format: Open discussion facilitated by the Working Group. The objective is to facilitate informal and dynamic dialogue. Participants wishing to speak should raise their hand when the floor is opened. Participants are asked to focus their interventions on the above-mentioned questions in the order they are addressed in the discussion, rather than addressing all at once.