**Input submitted by the Secretariat of the Council of Europe**

(Human Rights Intergovernmental Co-operation Division)

**Working Group on Business and Human Rights**

**Call for inputs on the issue of human rights and transnational corporations and other business enterprises**

This contribution covers the situation under Recommendation [CM/Rec(2016)3](https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805c1ad4) of the Committee of Ministers of the Council of Europe to member States on human rights and business.

**Good practices**

1. Are there any specific recommendations to States, businesses (including investors), civil society, UN bodies and National Human Rights Institutions that would assist in ensuring that investors act compatibly with the UNGPs?

CM/Rec(2016)3 is based on the premise, as stated in its preamble, that “business enterprises have a responsibility to respect human rights”. Section III of the accompanying Appendix indicates the action that States should take “to enable corporate responsibility to respect human rights”. Whilst the recommendation is of general application to business enterprises, some of its provisions may be of particular relevance to the relationship between States and investors.

In this context, paragraph 22 of the Appendix calls on States to “apply additional measures to require business enterprises to respect human rights, including, where appropriate, by carrying out human rights due diligence, that may be integrated into existing due diligence procedures, when member States … grant substantial support and deliver services through agencies, such as export credit agencies and official investment insurance or guarantee agencies, to business enterprises”.