

## Outcome Note

### The thirty-eighth session of the Working Group on the issue of human rights and transnational corporations and other business enterprises, 13 – 17 May 2024

The present outcome note summarizes the key items discussed at the 38<sup>th</sup> session.

**Present:** R. McCorquodale (Chair), F. Hopenhaym (Vice-Chair), D. Olawuyi and P. Yeophantong.

- I. The Working Group on the issue of human rights and transnational corporations and other business enterprises (the Working Group) held its **thirty-eighth session from 13 to 17 May 2024. The session was held online due to the UN’s liquidity crisis** which meant that the Working Group members were not able to travel to Palais des Nations, Geneva, Switzerland, as would have been usual. The result of needing to meet online was that the Working Group was only able to meet for two hours per day as Working Group members are located in very different time zones.
- II. During the session, the Working Group met with representatives of different stakeholders, including the Office of the High Commissioner for Human Rights (OHCHR), UNDP, OECD, and ILO.
- III. During the session, the Working Group discussed a wide range of issues, such as priority activities and projects for 2024, 2025 and beyond. This included:

#### A. Thematic Reports

1. The Working Group’s upcoming thematic reports to the Human Rights Council and General Assembly:
  - a) The Chair provided an update on the final preparations for the presentation of the report to the 56<sup>th</sup> session of the Human Rights Council in June 2024. The report, which has been submitted, is on **Investors, ESG and human rights**. The report reflected the information contained within the over 70 submissions received, and the input garnered during the 14 public and private consultations that were held at the global and regional level with relevant stakeholders, including financial entities.
  - b) The Vice-Chair provided an update on the preparations for the report on **respecting the rights of LGBTI people in the context of business activities**, to be presented to the 79<sup>th</sup> session of the General Assembly in October 2024. Updates were provided on the consultations that have been held to collect input from different stakeholders in different regions.

#### B. Country Visits

1. The Working Group discussed its forthcoming country visits for 2024 and beyond:
  - a) A country visit is planned and being organized to **Colombia** from 29 July to 9 August 2024. Due to the UN liquidity crisis, this will be the only country visit to take place in 2024. The Working Group usually undertakes two country visits per year.
  - b) Following its country visit to **Japan** which took place from 24 July to 4 August 2023, the Working Group will present the report on that visit to the 56<sup>th</sup> session of the Human Rights Council during June 2024.

- c) The Working Group has engaged with several other States to discuss the possibility of visits that could take place over coming years and the members reviewed the options for 2025.

### C. The Annual Forum on Business and Human Rights

The Working Group discussed the preparations for the 13<sup>th</sup> Annual Forum on Business and Human Rights, scheduled to take place **from 25 to 27 November 2024** at Palais des Nations in Geneva, under the theme “Realizing the “smart mix of measures” to protect human rights in the context of business activities”. Following the call for proposals for sessions at the Forum that was issued earlier in 2024, the Working Group considered the large number of submissions that were submitted. It decided which submissions to take forward and formulated the outline of the agenda for the Forum based on the decisions made.

### D. Regional engagement and regional forums on business and human rights

1. The Working Group shared the outcomes of the members’ different academic visits to a range of countries.
2. The Working Group discussed engagement in **regional forums** in 2024, including the regional event for North-East Asia held in Ulaanbaatar, Mongolia in May, the regional forum for Asia to be held in September in Thailand, and the regional forum for Africa to be held in Ethiopia in October. It also considered possibilities for attendance at regional events in Central and Eastern Europe, and in the Middle East and North Africa region.
3. The Working Group discussed steps to try to develop a series of sub-regional events for the Western European and Other Group (WEOG) region, with the potential for a first sub-regional event for this region to be held in 2025.
4. The Working Group discussed the work done under the **Responsible Business Conduct in Latin America and the Caribbean (LAC) project**, including the activities foreseen for 2024 under phase 2 of the project. The regional forum will take place early in 2025 and online dialogues will be held later this year. The Working Group is exploring the possibility of co-hosting a second dialogue on business and human rights in the Caribbean.
5. The Working Group discussed the forthcoming work under the **Responsible Business Conduct in Africa project**.

### E. Communications procedure

The Working Group reviewed the communications issued to date in 2024 and decided to **continue to give priority to** communications, in collaboration with other relevant mandate holders.

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