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Human Rights Council
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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Andorra*, Argentina*, Austria, Bosnia and Herzegovina*, Canada*, Croatia*, Denmark*, Finland*, Ghana*, Greece*, Guatemala, Honduras*, Iceland*, Ireland*, Italy, Mexico, Montenegro*, Morocco*, Portugal*, Russian Federation, Spain, Sweden*, Switzerland, Turkey*, United Kingdom of Great Britain and Northern Ireland*: draft resolution

21/… Contribution of the United Nations system as a whole to the advancement of the business and human rights agenda and the dissemination and implementation of the Guiding Principles on Business and Human Rights

The Human Rights Council,

Recalling all previous Human Rights Council resolutions on the issue of human rights and transnational corporations and other business enterprises, including Council resolutions 8/7 of 18 June 2008 and 17/4 of 16 June 2011, as well as Commission on Human Rights resolution 2005/69 of 20 April 2005,

Recalling the endorsement of the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework by the Human Rights Council in its resolution 17/4,

Recalling also the request made by the Human Rights Council in its resolution 17/4 to the Secretary-General to prepare a report on how the United Nations system as a whole, including programmes, funds and specialized agencies, can contribute to the advancement of the business and human rights agenda and the dissemination and implementation of the Guiding Principles, addressing in particular how capacity-building of all relevant actors to this end can best be addressed within the United Nations system,

Stressing that the obligation and the primary responsibility to promote and protect human rights and fundamental freedoms lie with the State,

* Non-Member State of the Human Rights Council.

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Emphasizing that transnational corporations and other business enterprises have a responsibility to respect human rights, irrespective of where they conduct their business,

Recognizing the importance that guidance, initiatives and practices relevant to the area of business and human rights, at the international, regional and national levels, are guided by the Guiding Principles,

Recognizing also the importance of building the capacity of all actors to better manage challenges in the area of business and human rights, and that the United Nations system has an important role to play in advancing the business and human rights agenda, particularly the Guiding Principles, including by supporting capacity-building efforts directed at Governments, business enterprises, civil society and other stakeholders,

1. *Welcomes* the report of the Secretary-General on the contribution of the United Nations system as a whole to the advancement of the business and human rights agenda and the dissemination and implementation of the Guiding Principles on Business and Human Rights;[1]

2. *Underscores* the need to adopt a coordinated strategic approach to ensure integration of the business and human rights agenda, particularly the Guiding Principles, into all relevant aspects of the work of the United Nations system, and recognizes the role of the United Nations High Commissioner for Human Rights, her office and existing system-wide policy and coordination mechanisms, in that effort;

3. *Encourages* all stakeholders to take into account in their submissions in connection with the universal periodic review the implementation by the State of its duty to protect against human rights abuses by third parties, including business enterprises, as set out in the Guiding Principles;

4. *Recognizes* the particular role and mandate of the Working Group on the issue of human rights and transnational corporations and other business enterprises, and encourages all special procedures mandate holders of the Human Rights Council to take into account the Guiding Principles as appropriate in their analyses of specific situations or thematic areas;

5. *Also recognizes* that the obligations of States parties relating to business and human rights may be relevant for United Nations treaty bodies, in accordance with their mandates;

6. *Encourages* United Nations resident coordinators and country teams to take a lead, where possible, in collaboration with the Office of the High Commissioner , to ensure integration of the Guiding Principles into planning, advocacy and capacity-building and development efforts at the national level, based on consultation with the relevant State;

7. *Encourages* all relevant entities of the United Nations system:

(*a*) To develop guidance and training relating to the dissemination and implementation of the Guiding Principles for Governments, business enterprises and civil society, as applicable, in the context of their respective mandates, in close collaboration with the Office of the High Commissioner and the Working Group on the issue of human rights and transnational corporations and other business enterprises;

(*b*) To strengthen efforts relating to the development and promotion of more specific and coherent guidance, advocacy, capacity-building and engagement with relevant stakeholders, and to further integrate the business and human rights agenda into their

[1] A/HRC/21/21.

activities consistent with their respective mandates; this should include capacity-building directed at Government agencies, business enterprises, national human rights institutions, non-governmental organizations, trade unions, human rights defenders active in the context of business operations and other stakeholders, with a particular focus on the needs of individuals and groups that are especially vulnerable to adverse impact;

8. *Recommends* that relevant United Nations entities apply the Guiding Principles when formulating and implementing internal policies and procedures, including in investment management, procurement and partnerships with the business sector, taking into account the recommendations made in the report of the Secretary-General;

9. *Recognizes* the work done by the Global Compact in developing tools and guidance materials for the business sector and facilitating the sharing of knowledge and good practices, as well as the important role that the Global Compact could play in supporting dissemination and implementation of the Guiding Principles, particularly aimed at its local networks;

10. *Requests* the Secretary-General to report, from within existing resources, to the Human Rights Council at its twenty-sixth session on the challenges, strategies and developments with regard to the implementation of the present resolution by the United Nations system, including programmes, funds and agencies, and to make concrete recommendations for action;

11. *Also requests* the Secretary-General to undertake a feasibility study to explore the establishment of a global fund to enhance the capacity of stakeholders to advance the implementation of the Guiding Principles; the study should explore relevant issues, including how to secure multi-stakeholder engagement, governance models and funding options; stakeholders should be involved in a consultative process, including through the Forum on Business and Human Rights, written form and other informal consultations; the conclusions should be presented to the Human Rights Council no later than June 2014 and included in the biennial report of the Secretary-General;

12. *Decides* to organize a panel discussion at the twenty-second or twenty-third session of the Human Rights Council, with high-level representatives from relevant United Nations programmes, funds and agencies to discuss strategies for advancing the business and human rights agenda by the United Nations system; this could also be regarded as a topic for the annual half-day discussion on human rights mainstreaming at the twenty-second session;

13. *Decides* to continue consideration of this question in conformity with its annual programme of work.