

## HUMAN RIGHTS COUNCIL – 53rd SESSION

### Interactive Dialogue with the Working Group on the issue of human rights and transnational corporations and other business enterprises

26 June 2023

In her opening remarks, **Ms. Pichamon Yeophantong, Chairperson of the Working Group on the issue of human rights and transnational corporations and other business enterprises** presented several reports and updates: a thematic report underscoring the need for capacity-building; country reports of Liberia, Luxembourg, and Argentina; addendum reports on “Development finance institutions and human rights”; an update on the LAC Forum; and an update on the 2022 Forum on Business and Human Rights.

On the **capacity building report**, the Chairperson highlighted that there are still capacity and knowledge gaps among various stakeholders regarding the Guiding Principles which affect their implementation. The thematic report contributed to bridging these gaps by assessing the landscape of capacity-building measures; considering what constitutes effective capacity-building; and offering recommendations on strengthening the capabilities of key stakeholders at the global, regional, and local levels.

Regarding the country report on **Liberia**, the WG welcomed the Government initiatives to advance responsible business conduct and address business-related human rights abuses, particularly in mining and agribusiness. The WG was concerned about the implementation of existing regulations, particularly the abuses suffered by workers and communities in large concession areas. Regarding the country visit to **Luxembourg**, the WG welcomed the adoption of two National Action Plans on business and human rights. The WG remained concerned about the need for meaningful civil society participation in policymaking and ensuring access to remedy for victims of human rights abuses committed in other States by businesses domiciled in Luxembourg. Regarding the country visit to **Argentina**, the WG welcomed the development of a National Action Plan on business and human rights. The WG was concerned about challenges including the need for increased policy coherence across different ministries and administrative levels, and the need for improved implementation of relevant regulations. The Working Group also expressed concern regarding the treatment of workers, Indigenous Peoples, and other groups at risk in sectors such as the extractive industries and agribusiness.

Regarding the report on **development finance institutions**, the WG expressed concern about the negative repercussions of their operations in various parts of the world. The Working Group’s report on “Development finance institutions and human rights” detailed how the Guiding Principles on Business and Human Rights apply to these institutions and how they should address the adverse human rights impacts associated with their operations. The WG Group urged efforts to enhance the transparency, accountability, and accessibility of grievance mechanisms to ensure that “no one is left behind”. Regarding the update on the **LAC Forum**, the WG focused on challenges, opportunities, and priorities vis-à-vis securing accountability from States, businesses, and other actors for adverse human rights impacts. On the update of the **2022 Forum on Business and Human Rights**, titled “Rights holders at the Centre: Strengthening Accountability to advance business respect for People and Planet in the next decade”, the WG highlighted the forum showcased a collective commitment to prioritizing access to an effective remedy for victims of business-related human rights abuses, and emphasized the profound environmental implications of business operations.

**Argentina (Country Concerned)** commended the visit of the WG and expressed the very fruitful involvement of stakeholders in the preparation of the National Action Plan, which is currently in its final stage. The country considered the WG’s report to be valuable input for the country’s National Action Plan.

**Luxembourg (Country Concerned)** highlighted the country's adoption of two national action plans for the implementation of the UN Guiding Principles, and the launch in 2021 of the National Pact on Business and Human Rights. Luxembourg remarked on its efforts in inclusive finance aiming to create economic opportunities for the most marginalized, contributing to their empowerment and sustainable, inclusive growth. The country took note of the WG's recommendations for a national law but recommends continuing the legislative work underway at the European level.

### Interactive dialogue

Most countries commend the work of the WG and highlighted that capacity-building measures are key to support the implementation of the UNGPs among the various stakeholders. The **EU** highlighted the importance of the role of civil society and National Human Rights Institutions and expressed that at the EU level, a Framework for UNGP implementation is underway. **Colombia, Egypt, Cuba, and Brazil** expressed their support for a binding international legal instrument to regulate the actions of TNCs. **Colombia** considered the protection of the Amazon and the rights of workers a priority. **Panama** condemned the tobacco industry for the violation of human rights along its value chain. **Armenia** denounced **Azerbaijan** for directly attacking businesses operating in the bordering regions of Armenia. **Azerbaijan** condemned **Armenia** for the irreversible environmental damage caused in its territory by illegal mining and other activities during the occupation.

**Burkina Faso** expressed its support for the creation of a global fund dedicated to capacity building on business and human rights. **China** remarked the capacities to implement the UNGPs vary from country to country and considers developed countries should redouble efforts to guarantee TNCs respect human rights in developing countries. **Cuba** regretted that the WG's report does not include a line of actions to protect the rights of collective groups. **The Russian Federation** considered there has been major advances at the global level to implement the UNGPs but that there is still room for improvement. **Ukraine** condemned the **Russian Federation** for violations of the UNGPs by Russian state enterprises in territories temporarily occupied. The country also denounced companies that continue to feed Russia's war of aggression against It urged the WG to investigate the violations of the UNGPs in this context. **Thailand** called upon the WG for greater collaboration, coordination, and partnership with relevant actors, in particular the UN Country Teams. **Iran** denounced UCMs which hinder the development of businesses in the targeted countries.

**Many NGOs** expressed their support for the adoption of a binding instrument and urged the inclusion of civil society in all consultations. Urged the WG to take the participation of national civil society and activists more seriously in the context of its country visits. NGOs were concerned about excessive UCMs imposed by some countries on the pretext of human rights issues which have led Chinese companies to huge economic losses. One NGO highlighted environmental human rights defenders continue to be threatened, criminalized, and killed. It emphasized violations by TNCs and businesses in Colombia, Honduras, and Guatemala. Finally, NGOs condemned human rights abuses by mining operations in Mongolia and Kyrgyzstan, and women's gender-based violence in export processing activities in Sri Lanka.

#### Delegations that took the floor during the Interactive dialogue (40 country delegations):

*European Union, Panama, Portugal, Egypt, Japan, Armenia, Germany, Burkina Faso, Belgium, France, Indonesia, Mexico, United States of America, Colombia, Malaysia, United Kingdom of Great Britain and Northern Ireland, Venezuela, Cameroon, Ireland, South Africa, Pakistan, Togo, India, Malawi, China, Switzerland, Chile, Benin, Cuba, Russian Federation, Brazil, Thailand, Tunisia, Azerbaijan, Ecuador, Honduras, Ukraine, Iran, Cambodia.*

NHRIs and NGOs that took the floor during the Interactive dialogue (10):

Commission Consultative des Droits de l'Homme Luxembourg, National Human Rights Commission of India, China Foundation for Human Rights Development, INHR, Action Canada for Population and Development, Justiça Global, China NGO Network for International Exchanges (CNIE), Sikh Human Rights Group, Peace Brigades International, Associazione Comunita Papa Giovanni XXIII, Asian Forum for Human Rights and Development, Colombian Commission of Jurists.

International organizations (2): UNDP, UNICEF.

To watch the full meeting refer to [UN Web TV](#).