



John Ruggie

Introduction by the Special Representative, July 2009

< <http://198.170.85.29/Ruggie-introduction-to-portal-Jul-2009.doc>>, visited on 12th October 2009

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- 1 In July 2005, UN Secretary-General Kofi Annan appointed me as his Special Representative (SRSG) on Business and Human Rights. The new administration of Ban Ki-moon extended the assignment.
- 2 My mandate was created in response to division regarding the draft Norms on Business and Human Rights which were put to the UN Commission on Human Rights in 2004 but failed to gather intergovernmental support. Instead, the Commission recommended that the Secretary-General appoint a Special Representative to advance the debate on business and human rights.
- 3 Commission Resolution 2005/69 requested the new SRSG to identify and clarify standards of corporate responsibility and accountability regarding human rights; elaborate on state roles in regulating and adjudicating corporate activities; clarify concepts such as "complicity" and "sphere of influence"; develop methodologies for human rights impact assessments and consider state and corporate best practices.
- 4 To date, I've reported to the Commission and then the Human Rights Council four times. Between 2005 and 2008, I provided two interim reports (E/CN.4/2006/97 to the Commission on Human Rights in 2006; and A/HRC/4/035 to the new Human Rights Council in 2007). I also consulted extensively with business, governments and civil society, including through 14 multi-stakeholder consultations on five continents. I found one recurring theme - the urgent need for a common framework of understanding in the business and human rights realm.
- 5 Accordingly, in June 2008, I proposed a policy framework for better managing business and human rights challenges (A/HRC/8/5). It is based on three complementary and interdependent pillars: the **state duty to protect** against human rights abuses by third parties, including business; the **corporate responsibility to respect** human rights; and the need for greater access by victims to **effective remedy**, judicial and non-judicial. The Human Rights Council was unanimous in welcoming the framework, and extended my mandate by three years with the task of operationalizing it (A/HRC/RES/8/7). This marked the first time the Council or its predecessor, the Commission, had taken a policy position on business and human rights.



- 6 The framework has already enjoyed considerable uptake by states, companies and civil society. Among other examples, the UK's National Contact Point for the OECD Guidelines for Multinational Enterprises found against a company for failing to exercise adequate human rights "due diligence," using the term as defined in the framework. The Norwegian Government's 2009 Corporate Social Responsibility White Paper draws on the framework extensively, and a UK parliamentary committee is using it as the basis for its inquiry into business and human rights. At the Council's June 2009 session where I presented a progress report on operationalization of the framework (A/HRC/11/13), it won praise from all states that spoke on the issue, including Brazil, China, and India.
- 7 The International Chamber of Commerce has described the framework as "a clear, practical and objective way of approaching a very complex set of issues." Amnesty International said it "has the potential to make an important contribution to the protection of human rights." The UN High Commissioner for Human Rights has hailed it as "an important milestone."
- 8 To fulfill my mandate to "operationalize" the framework, my aim is to develop guiding principles for each of its three pillars. To do so effectively I intend to continue the activities that have served the mandate so well to date: inclusive consultations and the engagement of a wide range of actors whose expertise and influence can turn principles into practice and ensure economic globalization is sustainable for all.
- 9 This portal provides a means to facilitate such communication and information sharing with respect to the mandate. I am immensely grateful to the Business and Human Rights Resource Centre for developing and maintaining this portal.