



International Chamber of Commerce

The world business organization

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**Joint preliminary views of the International Chamber of Commerce (ICC)
and the International Organisation of Employers (IOE) to the
fourth session of the Human Rights Council
on the
second report of the Special Representative of the UN Secretary-General
on business and human rights, John Ruggie**

The International Chamber of Commerce (ICC) and the International Organisation of Employers (IOE) welcome the second report of Professor John Ruggie, the Special Representative of the UN Secretary-General on business and human rights. It provides an extremely valuable staging post towards completing his mandate.

Central to the report is the clear recognition that “international law firmly establishes that states have a duty to protect”. This recognition validates a fundamental principle consistently upheld by ICC and the IOE: it is the state that is the primary duty-bearer in protecting and promoting human rights, and the law – national law in particular -- sets a framework of standards to which all social actors including business must comply. ICC and the IOE believe that states’ duties to protect and promote human rights must not be diminished. The report also confirms the conviction of ICC and the IOE that ensuring states discharge their human rights obligations effectively through legal and policy measures to improve the enjoyment of human rights remains a major part of the way forward.

In a wide ranging examination and analysis of international human rights instruments and trends, the Special Representative’s report upholds the view that these instruments do not impose direct responsibilities on corporations. ICC and the IOE welcome this conclusion.

In addition, the report confirms the emergence of voluntary initiatives involving governments, business and civil society, and the key role that these mechanisms will play in charting possible future directions and filling gaps in the international legal order. They attest to the growing attention paid by companies to business and human rights issues.

Perhaps the most noteworthy conclusion of the Special Representative’s second report from ICC and the IOE’s standpoint is the recognition that “no single silver bullet can resolve the business and human rights challenge” and that “a broad array of measures is required, by all relevant actors” based on the notion of shared responsibility. This is something that is fundamental in order to address those key challenges effectively in the final part of the mandate.

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In this spirit, ICC and the IOE look forward to continuing to work with the Special Representative by offering him business input from the perspective of representative global business organizations. ICC and the IOE attach significant importance to enabling the Special Representative to build on the detailed and incisive analytical stage of his work. This will allow him to complete his mandate by submitting views and recommendations to the Human Rights Council as envisaged in the current mandate. Therefore, ICC and the IOE support the Special Representative's request that his current mandate be extended by one year.

About the IOE

The IOE is a membership organization that promotes the interests of employers and their organizations from all over the world at the international level through representation, information and advice. The IOE provides leadership for the business community in all areas of social and labour policy and proactively participates in international policy development that seeks to create a framework that underpins enterprise creation and development. It provides an international forum that brings together national employers' organizations and their members from around the world and facilitates the exchange and transfer of information, experience and good practice amongst the business community globally. The IOE was founded in 1920 and today represents 144 national members in 138 countries.

About ICC

ICC is the world business organization, a representative body that speaks with authority on behalf of enterprises from all sectors in every part of the world. The fundamental mission of ICC is to promote an open international trade and investment system and the market economy, and to help business corporations meet the challenges and opportunities of globalization. Business leaders and experts drawn from ICC's global membership establish the business stance on broad issues of trade and investment policy as well as on vital technical subjects. ICC was founded in 1919. Today it groups thousands of member companies and associations from 130 countries.