

PROMOTION AND PROTECTION OF HUMAN RIGHTS IN BUSINESS^{1/}

(Adopted at the second plenary session, held on June 4, 2014)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT resolutions AG/RES. 2687 (XLI-O/11) and CIDI/RES. 276 (XVII-O/12), “Promotion of Corporate Social Responsibility in the Hemisphere”;

RECALLING the previous resolutions adopted by the General Assembly on the subject of promotion of corporate social responsibility in the Hemisphere, *inter alia*, AG/RES. 1871 (XXXII-O/02), AG/RES. 1953 (XXXIII-O/03), AG/RES. 2013 (XXXIV-O/04), AG/RES. 2123 (XXXV-O/05), AG/RES. 2194 (XXXVI-O/06), AG/RES. 2336 (XXXVII-O/07), AG/RES. 2483 (XXXIX-O/09), AG/RES. 2554 (XL-O/10), and AG/RES. 2753 (XLII-O/12);

BEARING IN MIND the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights, and the Additional Protocol to the American Convention in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador), which provide for the protection, promotion, and observance of human rights;

RECALLING the Declaration of Mar del Plata of November 5, 2005, in which the Heads of State and Government recognized that “sustained economic growth, with equity and social inclusion, is an indispensable condition to create jobs, fight extreme poverty, and overcome inequality in the Hemisphere” and that “[t]o achieve these ends, it is necessary to improve transparency and the investment climate in our countries, build human capital, encourage increased incomes and improve their distribution, promote corporate social responsibility, and foster a spirit of entrepreneurship as well as strong business activity”;

RECOGNIZING that member states are responsible for good governance and the promotion and implementation of legislation that meets the needs of their citizens, and that they must ensure fulfillment of their human rights obligations.

RECOGNIZING ALSO that businesses, regardless of their size, sector of activity, operational context, or structure, perform an important role in political, economic, and social life, and have a responsibility to respect human rights wherever they carry out their activities, irrespective of the capacity of states to meet their obligations in that regard, although this does not diminish states' duty to protect human rights in accordance with their obligations under international law.

EMPHASIZING the role of civil society and other social stakeholders and of national human rights bodies in defending people affected by human rights abuses committed by businesses;

1. Ecuador wishes to underscore the efforts undertaken in the United Nations and in other bodies to develop a binding international instrument on Human Rights and Transnational Enterprises ...

RECOGNIZING the important contributions made by different sources to the development of this topic, such as the United Nations Global Compact, and the International Labour Organization (ILO) Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy in establishing the evolutionary tendencies of policies and corporate due diligence in the area of human rights;

UNDERSCORING the importance of building the capacities of all players so they are able to deal with challenges in the arena of business and human rights, including by means of support for training efforts targeting governments, businesses, civil society, and other relevant social stakeholders;

RECOGNIZING the significant support expressed in the United Nations Human Rights Council for the Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework, which includes the guidelines that enjoy the broadest with respect to protection and promotion of human rights in all spheres of business activity;

INSPIRED by the emerging practices and progress seen in the Hemisphere with regard to social responsibility and its anchoring in human rights;

TAKING NOTE of the report adopted by the Inter-American Juridical Committee entitled “Guidelines Concerning Corporate Social Responsibility in the Area of Human Rights and the Environment in the Americas,” document CJI/doc.449/14 rev. 1, which contains recommended guidelines for the OAS member states;

ALSO TAKING NOTE of the recent First Latin America and Caribbean Regional Forum on Business and Human Rights, held in Medellín, Colombia, from August 28 to 30, 2013,

RESOLVES:

1. To continue promoting the application of the United Nations guiding principles on business and human rights, and to urge member states to disseminate these principles as broadly as possible, facilitating the exchange of information and sharing of best practices on promotion and protection of human rights in business in order to create greater awareness of the benefits of their enforcement.

2. To underscore the importance of continuing to make progress with the topic of businesses and human rights and, accordingly, to invite the member states to consider the matter in the appropriate bodies.

3. To encourage member states and their respective national human rights institutes and/or competent institutions to foster constructive dialogue among business, government, and civil society and other social stakeholders, for application of the Guiding Principles.

4. To request the Inter-American Commission on Human Rights (IACHR) and the Executive Secretariat for Integral Development (SEDI), in a coordinated fashion and within the sphere of their responsibilities, to continue supporting states in the promotion and application of state and business commitments in the area of human rights and business;

5. To request the Permanent Council to hold a special meeting of the Committee on Juridical and Political Affairs in first quarter 2015 to foster the exchange of best practices and

experiences with respect to the promotion and protection of human rights in business. That special meeting shall be attended by the member states; government, academic, and civil society experts; and other social stakeholders, as well as representatives of international organizations, and through the Secretariat for Legal Affairs shall prepare a report of that meeting's findings prior to the forty-fifth regular session of the General Assembly.

6. To request the Permanent Council to report to the General Assembly at its forty-fifth regular session on the implementation of this resolution, which will be subject to the availability of financial resources in the program-budget of the Organization and other resources.

