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Human Rights Council
Working Group on the issue of
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Second session
Geneva, 8 –11 May 2012

Outcome of the second session of the Working Group on the issue of human rights and transnational corporations and other business enterprises

1. The Working Group on the issue of human rights and transnational corporations and other business enterprises held its second session from 8 to 11 May 2012, in Geneva.
2. Prior to its session, the Working Group participated in the expert conference of the European Union on business and human rights, in Copenhagen, on 7 May 2012, and welcomed the proposal made by the European Union that its member States develop national plans to implement the Guiding Principles on Business and Human Rights, as well as its focus on developing guidance for specific sectors and for small- and medium-sized enterprises on the implementation of the Guiding Principles through a process of consultation with experts, Governments, civil society and corporate actors from Europe and globally. The Working Group expressed support for these initiatives and called on the European Union and its member States to ensure that the consultative process also involved stakeholders from other regions, particularly given the transnational nature of business operations and their impact.
3. The Working Group agreed on the next steps in the implementation of its strategy, as outlined in its first report submitted to the Human Rights Council,¹ and on the 2012 Forum on Business and Human Rights. The Working Group held meetings with Member States, including all regional groups of the Human Rights Council, which further informed the Working Group of current efforts and initiatives, and contributed to the identification of implementation and dissemination opportunities at the regional level. The Working Group encouraged convergence in such efforts. The Working Group also met with representatives of civil society organizations of business enterprises, and of the International Labour Organization, to discuss progress in implementation of the Guiding Principles and the Forum on Business and Human Rights.
4. The Working Group convened an open consultation on the forthcoming annual Forum on Business and Human Rights. It thanks the more than 100 participants from Member States, civil society and business representatives who participated in the consultation for the many constructive suggestions on both the thematic focus and the methodology of the Forum.
5. Drawing upon input received at the stakeholder consultation on the Forum, the Working Group is developing the proposed format and a preliminary list of themes and topics. One aim of the Forum will be to foster genuine exchange among stakeholders and collective learning, with a focus on identifying opportunities for dissemination and implementation in all regions, as well as the experience of different actors in implementing and applying the Guiding Principles. Discussions at the Forum should further contribute to the identification of solutions to challenges in this regard, including with regard to effective remedies for affected individuals and communities. The Working Group will seek to ensure that there is broad and balanced participation of stakeholders in the Forum, including of States, business, civil society, affected individuals and groups and other key stakeholders in the field of business and human rights. The Working Group will work closely with other key actors in the business and human rights field to maximize synergies and to ensure that the Forum outcomes build on and contribute to the effective implementation of the Guiding Principles and the broader business and human rights agenda at the global, regional and national levels.
6. Further information will be provided on the Forum, including details on how to register for the Forum, by the end of August 2012, on the webpage of the Working Group.² A preliminary set of documents for the Forum, including a draft agenda, will be posted on

¹ A/HRC/20/29.

² www.ohchr.org/EN/Issues/Business/Pages/WGHRandtransnationalcorporationsandotherbusiness.aspx.

the webpage by the end of September 2012. Stakeholders are encouraged to check the webpage of the Forum periodically for further updates.

7. In accordance with its strategy, the Working Group seeks to promote convergence and integrity in the interpretation and elaboration of guidance on the basis of the Guiding Principles. In order to support such efforts and ensure convergence, the Working Group will develop criteria that should be taken into consideration by all stakeholders in the elaboration of interpretation tools or guidance to support the implementation of the Guiding Principles. In addition to periodically issuing clarifications and guidance on specific aspects of the Guiding Principles that are brought to its attention by various stakeholders, Working Group members are also actively developing projects that they will guide and/or be themselves involved in, including proposals to support development of national plans of action on the implementation of the Guiding Principles, to promote the dissemination and implementation of the Guiding Principles in the context of business activities that have an impact on indigenous peoples, to embed the Guiding Principles within global governance structures, to identify gaps in access to remedy and elaborate guidelines to clarify the requirements under the Guiding Principles, to research further the benefits to different stakeholders in implementing the Guiding Principles, and to foster discussions on model implementation of the Guiding Principles by States and business enterprises on the basis of lessons learned and good practices. The above project proposals require further elaboration prior to being implemented, and are also subject to the availability of sufficient resources.

8. At the end of the second session, Puvan J. Selvanathan was appointed Chairperson-Rapporteur until the end of the fourth session of the Working Group, in February 2013, after which Pavel Sulyandziga will become chairperson until the end of the sixth session, in November 2013.
