

# AMNESTY INTERNATIONAL

## Public Statement

AI Index: IOR 41/044/2005 (Public)  
News Service No: 104  
21 April 2005

### **2005 UN Commission on Human Rights: Amnesty International welcomes new UN mechanism on Business and Human Rights**

Amnesty International welcomed the resolution adopted yesterday by the UN Commission on Human Rights requesting the UN Secretary General to appoint a Special Representative on the issue of Human Rights, Transnational Corporations and Other Business Enterprises.

Amnesty International believes this resolution is an important development in the efforts of the UN to advance the work initiated by the Commission in 2004 to strengthen standards on the responsibilities of companies and on possible means for implementation.

However, Amnesty International expressed strong disappointment that, the United States voicing concerns at the possible development of standards for business, voted against it together with Australia and South Africa.

Prompted by the USA's refusal to join consensus on the text, notwithstanding the many compromises that it and other delegations had made on the need for clearer international standards, South Africa tried unsuccessfully to amend the text to include an explicit reference to the UN Norms for Business(1).

The Special Representative has been mandated to identify standards of corporate accountability for businesses; elaborate on the role of states in effectively regulating the role of business, including through international cooperation; research and clarify concepts such as 'complicity' and 'sphere of influence'; develop materials and methodologies for undertaking human rights impact assessments of business activities; and compile a compendium of best practices of states and businesses.

In carrying out this work, the Special Representative has been asked to take into account the recent report of the High Commissioner for Human Rights (2), that recommended to the Commission to act expeditiously to define the human rights responsibilities of business entities, and other existing initiatives on business and human rights.

Amnesty International expects that the provisions set out in the UN Norms for Business will form the basis for the identification of further standards by the Special Representative. The UN Norms are the most comprehensive statement of standards relevant to companies in relation to human rights.

The Special Representative must not only define the human rights standards to which companies should be held accountable, but also identify the mechanisms to ensure these standards are adhered to.

Amnesty International calls on the Secretary General to ensure the prompt selection of a Special

Representative who is an experienced and independent expert on the impact of business activities on human rights, and who has a demonstrated ability to carry out effective consultation with a broad range of stakeholders, including communities affected by business operations.

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(1) Report of the United Nations High Commission on Human Rights on the responsibilities of transnational corporations and related business enterprises with regard to human rights. E/CN.4/2005/91

(2) The Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights adopted by the United Nations Sub-Commission on the Promotion and Protection of Human Rights, August 13 2003.

**Contact:** Alessandra Masci Campaign Coordinator Economic Relations and Human Rights  
0044-207-4135951

For further information on AI's recommendations regarding corporate accountability within the UN human rights system, see: <http://www.amnesty.org/globalization>