



## GANHRI STATEMENT

### Adopted at the GANHRI Annual Conference Business and Human Rights: the role and experiences of NHRIs 8 May 2024

1. On 8 May 2024, National Human Rights Institutions (NHRIs) from all regions gathered in Geneva for the Annual Conference of the Global Alliance of National Human Rights Institutions (GANHRI), on the role and experiences of NHRIs in addressing Business and Human Rights (BHR), held in the context of GANHRI's 2024 Annual Meeting.
2. Against the backdrop of today's time of conflict, climate crisis, rapidly evolving technologies, and persistent inequalities, we discussed challenges, shared experiences, and reflected on the role business and the state to help advance human rights in a period of such uncertainty, and discussed the role and contributions of NHRIs.
3. In line with the Edinburgh Declaration from the 10th International Conference on Business and Human Rights in October 2010, we reiterate our commitment to applying our unique Paris Principles mandates and functions, to promoting and protecting human rights of all in the context of business activities, thereby supporting implementation of the United Nations Guiding Principles on Business and Human Rights (UNGPs), "Protect, Respect, Remedy" framework.<sup>1</sup> This commitment involves ongoing engagement with states, businesses, communities, rights-holders, and victims, and various bodies and partners, at national, regional, and international levels, and working collectively with peer NHRIs through GANHRI and NHRI regional networks.
4. We recall the UN General Assembly's resolution 78/204 adopted in December 2023 which emphasises the importance of, and calls on, all States to establish and strengthen, effective, independent, and pluralistic NHRIs, recognising their role in collaborating with governments to ensure full respect for human rights at the national level. This is a testament to the NHRIs' authority and a call to action for NHRIs to address the multifaceted challenges posed by business activities and operations on human rights.
5. We call on all States to ratify and implement international human rights treaties, and implement frameworks including the UN Guiding Principles on Business and Human Rights (UNGP), the 2030 Agenda for Sustainable Development and the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, and support the implementation of the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct, whilst ensuring the effective and meaningful participation of relevant stakeholders, including NHRIs, civil society and human rights defenders, at all stages of the process.
6. Building on our diverse experiences and the foundation established by the Edinburgh Declaration, we reaffirm our commitment to apply our Paris Principles mandates and functions

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<sup>1</sup> The United Nations Guiding Principles on Business and Human Rights (UNGPs), "Protect, Respect, Remedy" framework<sup>1</sup>, endorsed by the United Nations Human Rights Council (UNHRC) in its Resolution 17/4 of June 2011.

to actively promote and protect human rights in business practices including through the following interventions:

### **Promotion**

7. We will continue to advise the state on legislation, policies, and measures which articulate the role of businesses to respect human rights, to ensure they are aligned with international human rights standards and grounded in human rights due diligence.
8. We will support the development of national action plans on business and human rights (NAP) through a participatory and inclusive process involving all stakeholders, to ensure that NAPs respond to the key Business and Human Rights challenges in the State.
9. We will promote awareness and implementation of the UNGPs across rights-holders and duty-bearers at national level, including through baseline assessments.
10. We will engage with communities, rights holders and human rights defenders to promote awareness and claiming of their rights and support their effective and meaningful engagement at all stages of decision-making processes as well as in seeking remedy for violations.
11. We will engage with businesses and encourage the alignment of business policies and practices with human rights standards through human rights due diligence.

### **Monitoring and Reporting**

12. We will monitor and report on the impact of business activities on human rights at national, regional and international levels, including by conducting investigations and public hearings, with special attention to victims, and groups in focus such as indigenous peoples, women, children, human rights defenders, as well as to the environment.
13. We commit to adopting a human rights and gender sensitive approach to address the multiple discriminations that can affect the rights of persons as a result of business activities, especially women, older people, persons with disabilities, indigenous peoples, and people living in poverty.
14. We will monitor and advise on the effectiveness of State measures to ensure businesses respect human rights and business measures to implement human rights due diligence measures in their activities and value chains, and periodically report to international and national bodies on the state of business and human rights in their jurisdictions.

### **Complaints Handling**

15. We will continue to build our complaints mechanisms to better address how business activities impact human rights, supporting affected individuals and communities in seeking justice.
16. We will participate in proceedings including strategic litigation holding businesses accountable for human rights abuses and violations.
17. We will inform and advise rights-holders on different remedy mechanisms that victims and affected stakeholders can access for business related human rights abuses and violations.

During the Conference, discussions centred specifically on current and emerging key areas where the contributions of NHRIs can make a significant impact to ensure the promotion and protection of human rights in the context of business activities:

### **Environment and Climate Change**

18. Climate change is one of the most urgent threats to humanity and to the full enjoyment of all human rights. Its impacts disproportionately affect persons, groups and peoples already living in vulnerable situations. We recall our the commitments made in our [Annual Conference Statement](#) of December 2020, to contribute to a human-rights based action on climate change, in order to support communities and preserve the environment. We welcome the UN General Assembly's recent recognition of the vital contributions of NHRIs in addressing the human rights impact of climate change in resolution 78/204.

19. We recognize the crucial role that business can play to prevent, mitigate and adapt to climate change and its adverse impacts on the people and the planet, and contribute to environmental sustainability. However, we are deeply concerned about increasing business practices which negatively impact the climate and the environment and the rights of affected communities, including the right to a clean, healthy and sustainable environment.
20. We will promote sound policy measures related to climate change and the environment which explicitly articulate the role of business and their responsibility to respect human rights.
21. We will monitor and report on the environmental and human rights impacts of business activities, ensuring compliance with national and international standards.
22. We will ensure that the just transition includes a focus on rights-holders.

### **Online civic space and digital technologies**

23. We acknowledge that digital technologies influence several aspects of human life and may pose risks to and impacts on human rights, democracy, and the rule of law. We are particularly concerned about the increasing and various forms of intimidation faced by human rights defenders, which can be exacerbated by the activities of technology companies, including through the use of surveillance. As NHRIs, we recall our significant role in protecting civic space online and offline, as highlighted in the [Marrakech Declaration](#) of October 2018
24. We will increase our efforts to monitor and report on the state of online civic space at the national, regional and international levels, including on the human rights impacts of digital technologies, with a special attention to the situation of human rights defenders.
25. We commit to engaging with states, businesses, trade unions, and civil society to promote policies, laws, and practices on the use of technology and digitalization in the context of business activities, ensuring the protection and respect for human rights throughout development and implementation.
26. We will receive and handle complaints from victims of human rights abuses related to the use of technology, including on the rights and freedoms of human rights defenders.
27. We will collaborate across jurisdictions through peer-learning exchanges, and collective action to support a responsible and human rights respectful use, development and application of technology.

### **Smart Mix of Policy and Regulatory Measures<sup>2</sup>**

28. We recognize that ensuring business respect for human rights and the environment calls for a holistic and comprehensive approach to business and human rights frameworks, which include voluntary and mandatory measures. To this end, we commit to influencing the development of a balanced mix of voluntary and mandatory measures that ensure businesses respect human rights. This includes promoting mandatory human rights due diligence and sustainability reporting legislation at the domestic level and further development of legally binding instruments at the regional and international levels.
29. We will promote a human rights-based approach to smart mix measures and a broad contribution of views, including by facilitating dialogues and partnerships between governments, businesses, and civil society to foster a holistic approach to human rights in business.

### **Cooperation**

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<sup>2</sup> The concept of “smart mix”, coined by the UNGPs, refers to a system of regulation and policy that combines a mix of mandatory and voluntary measures at the national, regional, and international level, which jointly foster business respect for human rights. This includes measures which expressly target the human rights impacts of business through regulation such as mandatory human rights due diligence measures and sustainability reporting requirements on human rights specifically, as well as voluntary initiatives such as government guidance, or encouraging other forms of regulation and policymaking of human rights impacts through industry association or multistakeholder initiatives.

30. We will continue to work closely with other NHRIs and will engage through GANHRI and the regional networks, as a platform for knowledge sharing and collaboration on this matter. As the global voice of NHRIs, we will act through GANHRI to strengthen international normative measures on business and human rights, including to implement the UNGPs.
31. We commit to enhancing information-sharing among NHRIs. This includes information to support the development of mandatory laws – including but not limited to human rights due diligence – to address complaints with transnational human rights dimensions and to facilitate access to effective remedies for victims of business-related human rights abuses, emphasizing transboundary impacts, extraterritorial jurisdiction, and overcoming barriers to accessing remedy mechanisms.
32. We will cooperate with other relevant actors and judicial and non-judicial remedy mechanisms, including OECD National Contact Points.
37. We call on all our partners, including the Office of the United Nations High Commissioner for Human Rights, the United Nations Development Programme, and the European Union, to support GANHRI, the regional networks, and NHRIs across different countries in implementing this Statement, and helping in creating strong NHRIs and strong communities. Furthermore, we encourage our partners to continue their efforts in building capacities of NHRIs which can enable them to function independently and to their full capacity.

**Adopted on 8 May 2024**