IOE Secretary-General Brent Wilton has said that he shares John Ruggie’s “grave doubts about the value and effectiveness of moving toward some overarching ‘business and human rights’ treaty”. The former Special Representative of the UN Secretary-General on business and human rights issued a statement on 1 May to clarify his position.

Ruggie also said that “inadequate enforcement is the main shortcoming of the current system”, and observed that if governments were not implementing existing human rights instruments, they were unlikely to give better effect to a new treaty.

Importantly, Ruggie stressed that “the category of business and human rights is not so discrete an issue area as to lend itself to a single set of detailed treaty obligations” and that it included complex clusters of different bodies of national and international law, which “embody such extensive problem diversity, institutional variations, and conflicting interests that any attempt to aggregate them into a general business and human rights treaty would have to be pitched at such a high level of abstraction that it is hard to imagine it providing a basis for meaningful legal action.”

The IOE Secretary-General believes that focus on the development of any new treaty risks detracting from efforts to promote the responsibility of business to respect human rights through the UN Guiding Principles.

The IOE is also concerned that the multistakeholder consensus which John Ruggie achieved in the process that resulted in the Guiding Principles could be seriously undermined, with stakeholder groups pursuing their own objectives in light of a new treaty rather than constructively seeking solutions together to address pressing issues.

The IOE advocates for the continued promotion of the implementation of the UN Guiding Principles on Business and Human rights, for appropriate support to be accorded to the work of the UN Working Group on Business and Human Rights, as well as to the Office of the United Nations High Commissioner for Human Rights, and for the necessary resources to be made available for these bodies to fulfil their mandate and meet the expectations of stakeholders around the world.

To read John Ruggie’s full statement, please click on the link in the side panel.