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Human rights and business – what follow-up to Committee of Ministers Recommendation CM/Rec(2016)3?

Motion for a resolution

tabled by Mr Yves CRUCHTEN and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

Businesses, especially trans- or multinational companies, have gained much power and influence, with some companies' assets exceeding the gross domestic product (GDP) of the States in which they operate. Businesses can benefit society and contribute to the realisation of human rights, including by providing employment and paying taxes. However, European businesses are also implicated in human rights violations, such as exploitative or hazardous working conditions, environmental pollution, employment discrimination and violations of employees' right to privacy, namely via cybermonitoring.

Whilst businesses can enjoy rights, they are not, as yet, bound by human rights treaties. The primary duty to protect human rights lies with States. However, businesses also have responsibilities in this field, especially where States have "privatised" their classic functions in areas such as law enforcement or military activities. In its [Resolution 1757 \(2010\)](#) on human rights and business, the Parliamentary Assembly called for the legal vacuum in this area to be filled.

On 2 March 2016, the Committee of Ministers adopted Recommendation CM/Rec(2016)3 on human rights and business, which provides governments, businesses and other stakeholders with guidance on how to implement the United Nations Guiding Principles on Business and Human Rights, as the currently globally agreed baseline in this field. The recommendation also calls on Council of Europe member States to share information on good practices and sets up a process of review of its implementation no later than five years after its adoption.

In the meantime, the Assembly should take stock of the implementation of the United Nations Guiding Principles on Business and Human Rights in member States, examine ways of ensuring that the standards and principles reflected in CM/Rec(2016)3 are applied throughout Europe and engage with member States facing obstacles to implementation.

Signed (see overleaf)



*Signed*¹:

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