



Investing in Sustainable Development



UNCTAD World Investment Forum 2014

Human Rights and Investment Policy Making: Relevance and Integration

Geneva, 15 October 2014. Room XX (14.00-17.00)

Opening Speaking Points

Mr Petko Draganov

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Excellencies,

Distinguished participants,

Ladies and gentlemen,

In December 1948, a brave woman and a fervent advocate of human rights took the Podium at the Palais de Chaillot, in Paris. Her words marked a historical moment: the adoption of the Universal Declaration of Human Rights.

Eleanor Roosevelt – who chaired the declaration's drafting committee – described with great clarity and simplicity her views on the fundamental question, where do human rights begin?

They begin in "the world of the individual person; the neighborhood he lives in; the school or college he attends; **the factory, farm, or office where he works**. Such are the places where every man, woman, and child seeks equal justice, equal

opportunity, equal dignity without discrimination. **Unless these rights have meaning there, they have little meaning anywhere."**

These words may provide the answer to why we are here today; why is UNCTAD organizing this event together with OHCHR; and why we need to include government officials, legal practitioners, academics and businesses.

We are here today to find ways to ensure that human rights begin in those common and usual places: the factory, the farm, the office.

We are here today to find ways to ensure that, in the words of High Commissioner Navy Pillay – human rights do not falter at the company gates.

It is with this purpose that our meeting is seeking an opportunity to better understand how human rights are relevant to investment policies and what that implies for investment policy making.

This is the first time that UNCTAD and OHCHR hold a joint event on the subject. It marks an important step in taking a comprehensive look at the interrelationship between investment and human rights issues. And it shows how UN agencies work together in the spirit of “One UN” – connecting the dots between important complementary subjects.

Both organizations, have conducted related work in the area of Investment and Human Rights. UNCTAD’s Investment Policy Framework for Sustainable Development is one example. But certainly the most relevant work in the area is the United Nations **Guiding Principles** on Business and Human Rights (UNGPs) – endorsed unanimously by the Human Rights Council in June 2011.

However, the links between investment and human rights are yet to be properly explored, as well as implications of the Guiding Principles for investment policy

making, International Investment Agreements and investor-State contracts. The World Investment Forum, and this session specifically, could be one step in the direction of integrating human rights into investment policy making. In this regard, UNCTAD's Investment Policy Framework for Sustainable Development may be a useful starting point.

The relationship between investment and Human Rights is indeed an issue of increasing prominence and interest on the part of the international community. Recent investor-State arbitrations see more and more human rights arguments made before the tribunals. Arbitrations also show that conflicts often arise if a government's conduct meant to comply with its human rights obligations is seen as a violation of an investment contract or an investment treaty.

But a harmonious co-existence should be possible. Parallel development of human rights and investment law should not lead to conflict. Instead, we must strive for linkages and policy solutions to ensure harmony. Today's event offers a concrete opportunity for discussion.

In this context, I would like to leave you with three questions:

- What are the connections between human rights and investment?
- What implications do the United Nations Guiding Principles on Business and Human Rights have for investment policymaking at the domestic and international levels?
- What good practices or initiatives to integrate human rights into investment policymaking can be identified?

We have the privilege of having with us experts from both the investment and the human rights side of the equation to help us address these questions.

But to help us put this expert discussion into a broader context, we are honoured by the participation of the Ambassadors of Colombia, **H.E. Mr. Gabriel Duque** and Ethiopia **H.E. Mr. Minelik Alemu Getahun**. They will share with us some thoughts on this subject.

I would now like to invite the **Ambassador of Colombia**, to make his opening remarks.

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Thank you very much. I would now like to invite the **Ambassador of Ethiopia** to make his opening remarks.

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Thank you very much.

I look forward to seeing the outcomes of your discussions.