

# BUSINESS AND HUMAN RIGHTS: Limits of the Current International Framework

Yaiza Santos Díez  
University of Cantabria



## INTRODUCTION

The global expansion of business activities has a significant impact on human rights and sustainability. Technological developments, such as AI, further intensify these challenges, reinforcing the need for an international regulatory response.

## RUGGIE PRINCIPLES:

- The State's duty to protect human rights
- The responsibility of companies to respect human rights
- The access to redress mechanisms for victims



## REGULATORY FRAMEWORK

- The main reference instrument in this area is the United Nations Guiding Principles on Business and Human Rights (Ruggie Principles).
- Predominance of non-binding standards.
- Trend toward binding rules at national and regional levels.



Despite regulation, human rights violations continue to occur in the course of business activities.

Pollution from extractive industries, forced labor, lack of safety conditions, AI-driven workplace surveillance

## KEY CHALLENGES



Victims encounter significant barriers to accessing justice

difficulty in attributing responsibility when violations occur in transnational companies.



Affecting human rights such as:

- right to health
- right to a healthy environment
- right to privacy and data protection
- right to just and favourable working conditions

## CONSEQUENCES

- The voluntary nature of the rules diminishes their **effectiveness**: States do not comply with the commitments established.
- There is **regulatory fragmentation** in the development of initiatives on the matter.
- No improvement in **accountability** or effective access to remedies is assured.



## CONCLUSIONS

- \* The current system is insufficient: a **legally binding international instrument** is required.
- \* Need to move forward with the negotiation of the draft United Nations Treaty on Business and Human Rights .
- \* A global problem must be addressed with a coordinated international legal response to ensure **effective human rights protection**.