

The International Chamber of Commerce

ICC is the world business organization, the only representative body that speaks with authority on behalf of enterprises from all sectors in every part of the world.

ICC promotes an open international trade and investment system and the market economy. Its conviction that trade is a powerful force for peace and prosperity dates from the organization's origins early in the 20th century. The small group of far-sighted business leaders who founded ICC called themselves "the merchants of peace".

Because its member companies and associations are themselves engaged in international business, ICC has unrivalled authority in making rules that govern the conduct of business across borders. Although these rules are voluntary, they are observed in countless thousands of transactions every day and have become part of the fabric of international trade.

ICC also provides essential services, foremost among them the ICC International Court of Arbitration, the world's leading arbitral institution.

Within a year of the creation of the United Nations, ICC was granted consultative status at the highest level with the UN and its specialized agencies.

Business leaders and experts drawn from the ICC membership establish the business stance on broad issues of trade and investment policy as well as on vital technical and sectoral subjects. These include financial services, information technologies, telecommunications, marketing ethics, the environment, transportation, competition law and intellectual property, among others.

ICC was founded in 1919. Today it groups thousands of member companies and associations from over 130 countries. National committees in the world's major capitals coordinate with their membership to address the concerns of the business community and to convey to their governments the business views formulated by ICC.



International Chamber of Commerce
The world business organization

Working with the United Nations

*Joint activities and projects linking
ICC and the United Nations system*



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September 2005

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Working with the United Nations

Joint activities and projects linking ICC with the UN system

This paper gives extensive examples of ICC's working relationship with the following components of the UN family:

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Working with the United Nations

Since 1946, ICC has engaged in a broad range of activities with the United Nations and its specialized agencies. The relationship entered a new phase in February 1998, when ICC leaders and senior UN officials headed by Secretary-General Kofi Annan met in New York to review the scope for closer cooperation against the backdrop of calls by the Secretary-General for a more intensive dialogue between the UN and the private sector. They identified two main areas:

- establishing global rules for global markets
- raising the productive potential of the least developed countries by building up the private sector and encouraging inward private investment.

The relationship between the private sector and the UN was taken a stage further in July 1999 when, at a meeting in Geneva between ICC representatives and senior UN officials led by Secretary-General Kofi Annan, business leaders welcomed his call for a **Global Compact** between the UN and private sector enterprises to promote human rights, improve labour conditions and protect the environment. The business leaders expressed their readiness to cooperate in this common endeavour.

The following examples illustrate the wide range of current ICC involvement with almost every part of the United Nations system.

To keep up to date with ICC's many activities with the United Nations consult the ICC website (www.iccwbo.org)

The UN and its constituent programmes

Major UN conferences

Over the last five years ICC actively participated in three global UN conferences -- the Conference on Financing for Development (FfD) in Monterrey, Mexico, the World Summit on Sustainable Development (WSSD) in Johannesburg, South Africa and the World Summit on the Information Society (WSIS) in Geneva, Switzerland.

ICC chaired a committee of business interlocutors which coordinated the participation of a sizeable business delegation to the FfD Conference, one in which the private sector played a ground-breaking active role and took the lead in organizing the International Business Forum held in conjunction with it.

ICC played a major role at WSSD, working through Business Action for Sustainable Development (BASD), an umbrella business group established jointly by ICC and World Business Council on Sustainable Development (WBCSD) to coordinate the private sector input into the conference. An important widely acclaimed event at Johannesburg, organized by BASD, was the Virtual Exhibit which brought visually to a large audience, as a continuing feature during the meeting, examples of sustainable development activities involving the private sector from around the world.

ICC was invited to establish the Coordinating Committee of Business Interlocutors (CCBI) as the vehicle through which to mobilize and coordinate the involvement of the world business community in the preparation for and in the World Summit on the Information Society (WSIS). As chair of CCBI, ICC led the private sector effort to provide substantive input into the Summit, the first segment of which took place in Geneva in 2003, notably the drafting of its Declaration and Plan of Action. ICC was also involved in organizing two major business events at the Geneva Summit. ICC participated in the UN Secretary General's Working Group on Internet Governance and the UN Secretary General's Task Force on Financial Mechanisms. The second segment of WSIS will be held in Tunis in November 2005. ICC is actively involved in organizing the private sector input into the preparatory process and the business event at the Tunis Summit.

ICC also participated in the International Ministerial Conference of Landlocked and Transit Developing Countries and Representatives of International Financial and Development Institutions on Transit Transport Cooperation held in Almaty, Kazakhstan. It, *inter alia*, worked closely with the World Bank in organizing an Investment Forum at the conference.

The Global Compact

ICC has continued to be involved as interlocutor between business and the Global Compact, launched by Secretary-General Kofi Annan in 1999 as a challenge to companies to support internationally-agreed principles in the fields of human rights, environmental protection and labour relations. Although not a UN intergovernmentally-based programme, its personal sponsorship by the Secretary-General places it squarely in the UN context. The role of ICC was most recently highlighted in the discussion of whether to add an additional principle—combating corruption—to the Compact. ICC's proposed criteria for deciding this question were accepted by the Global Compact Office, which also invited ICC to take the lead in exploring with other stakeholders the appropriate textual formulation of such possible new principle. Earlier this year, ICC submitted to the Global Compact office extensive comments on the proposed restructuring of the Global Compact's governance framework.

General Assembly

The 2003 General Assembly included a major event in the form of a "High-Level Dialogue" on the implementation of the agreements and decisions reached at the Monterrey FfD conference. ICC, working with a core group of "business interlocutors", helped organize the participation of a business delegation drawn from around the world. ICC itself was represented by its Secretary General.

Under the General Assembly's special programme of discussions on how to implement provisions of the UN Law of the Sea Treaty , ICC's International Maritime Bureau participated in the discussion of piracy and measures to combat it.

Economic and Social Council (ECOSOC)

ICC has continued to participate in the work of ECOSOC, particularly its annual high-level segment that is a highlight of its annual substantive session. In 2000 and 2001 the ICC Secretary General made presentations during discussion of the role of information in the context of a knowledge-based global economy and support of African countries in their endeavours to achieve sustainable development. In 2003, an ICC delegation drawn from the Agri-Food Network took part in the ECOSOC high-level discussion of rural development and specifically in the talks leading to the launching of the Public/Private Alliance for Rural Development as a follow-up to the ECOSOC discussion.

ICC has taken an active part in the annual spring meetings of ECOSOC and the Bretton Woods institutions which have focused on follow-up of the Monterrey Conference on Financing for Development. The Secretary General of ICC participated in the 2005 ECOSOC/BWI meeting on this subject.

Commission on Sustainable Development (CSD)

ICC plays an active role in the UN's work on sustainable development, particularly through its cooperation with the CSD in the decade since the Rio 'Earth Summit' in 1992, and through the UN Environmental Programme (UNEP) and the UN Development Programme (UNDP).

ICC has been the catalyst for business action at major meetings of the CSD in recent years, particularly in 2000 on the theme of agriculture and in 2001 on the theme of energy and transport. In 2002, ICC led the business community's participation in the CSD's preparations for the World Summit on Sustainable Development in Johannesburg, under the name 'Business Action for Sustainable Development', in association with the World Business Council for Sustainable Development.

In 2005, ICC again led the business delegation under the banner of Business Action for Water (BAW) at CSD 13 to address the overarching thematic issues of water, sanitation and human settlements. In 2006/7 the two year cycle of CSD 14/15 will address the thematic issues of energy, climate change, atmospheric pollution and industrial development and ICC will once again be leading the business delegation with the Business Action for Energy (BAE) initiative, a temporary, ad hoc project designed to provide a platform for business input into CSD 14 and 15.

Commission for Social Development

ICC, in conjunction with IOE, has continued to work with the Commission on Social Development in follow-up of the decisions taken at the 24th special session of the General Assembly (2000) regarding implementation of the Copenhagen Conference on Social Development (1995). As in past years, ICC's focus has largely been the private sector's role in the generation of productive employment. It has also been involved in defining the appropriate role of the private sector in international cooperation for social development generally.

UN Information and Communication Task Force

ICC has contributed to the UN ICT Task Force for the past three years in several ways. ICC's Secretary General serves on the advisory panel for the UN ICT Task Force, and the Chair of ICC's Commission on E-Business, IT and Telecoms, Mr. Talal Abu-Ghazaleh, was the former Vice-Chair of the UN ICT Task Force in his personal capacity. ICC has provided the global business perspective on key policy issues at several UN ICT Task Force meetings and global forums.

Committee on Non-Governmental Organizations

This committee is charged with making recommendations to ECOSOC on which NGOs should be granted official consultative status with the UN and on the rights and privileges to be accorded them for participation in UN activities. ICC maintains a close relationship with the committee and its secretariat. An important requirement for maintaining consultative status is the submission to the committee of quadrennial reports on how NGOs in official relationships actually interact with the UN. ICC submitted such a report in 2003.

UN Economic Commission for Europe (UNECE)

Intellectual Property

ICC and UNECE collaborate on a government/business partnership programme to raise awareness and improve intellectual property protection in transition economies in Europe.

Trade Facilitation

To make Incoterms easy to use in any part of the world, UNECE worked with ICC to select three-letter codes for each one that can be instantly recognised by public authorities and traders, whatever their language.

ICC worked closely with UNECE towards organising the UN-ECE Trade Facilitation Forums of May 2002 and May 2003. Several prominent ICC members participated as panellists in these events, including ICC Secretary General, Maria Livanos Cattai.

ICC also participates in the work of the UN/CEFACT (UN centre for Trade Facilitation and E-business) which develops recommendations in this area.

Ad Hoc Group of Experts on International Cooperation in Tax Matters

Through its large network of members with expertise in the field, ICC regularly provides this subsidiary body of ECOSOC with advice on tax issues from a business perspective.

UN Centre for International Crime Prevention

ICC works with the UN's crime prevention arm and is involved in discussions on their global programme against corruption. Coordination also ensures that resources are not wasted on duplication of research.

ICC closely followed the negotiations on a UN Convention Against Corruption in the Working Group established by the General Assembly and submitted comments on various draft articles. It also attended the UN Conference in Merida, Mexico in December 2003 for signing the convention following its endorsement by the General Assembly. ICC's representative presented its views on the Convention in the conference plenary.

UN Commission on International Trade Law (UNCITRAL)

Arbitration

The ICC International Court of Arbitration participates actively in the work of UNCITRAL on the development of international arbitration law and related topics. The Court regularly acts as appointing authority in arbitrations under the UNCITRAL rules of arbitration. Court representatives regularly contribute to UNCITRAL's discussion on the future of the 1958 New York Convention and other dispute resolution matters.

Banking

ICC works closely with UNCITRAL in banking and trade finance. Following ICC's endorsement of the UNCITRAL Convention on Independent Guarantees and Standby Letters of Credit, ICC national committees urged their governments to ratify this convention. The ICC Banking Commission has also endorsed the new UNCITRAL Convention on the Assignment of Receivables in International Trade. UNCITRAL speakers are regularly scheduled on the agenda of Banking Commission meetings.

Electronic Commerce

ICC has continued to work closely with UNCITRAL in the field of electronic business since it participated in the development of the UNCITRAL model law on electronic commerce and provided substantive input on the UNCITRAL model law for electronic signatures. The ICC Commissions on Commercial Law and Practice and E-Business, IT and Telecoms jointly worked to provide business expertise to UNCITRAL for its work on electronic contracting.

Trade Facilitation

ICC makes rules to facilitate international trade. All are designed to work in the context of model laws and conventions drawn up by UNCITRAL. ICC's Model International Sales Contract, for example, makes reference to the UN Convention on Contracts for the International Sale of Goods (CISG 1980), and the rules on standby letters of credit fit with the UN Conventions on Independent Guarantees and Standby Letters of Credit (1995). ICC and UNCITRAL work together closely to smooth the path for trade.

UNCITRAL has officially endorsed Incoterms, ICC's global standard for the interpretation of trade terms that are used daily in countless thousands of international transactions. This support helps to give Incoterms worldwide authority and entitles them to be recognized by courts of law everywhere. Incoterms were recently revised, to among other issues, take into account increased application of the UN Convention on Contracts for the International Sale of Goods. The language of Incoterms 2000 is consistent with the UN convention.

Carriage of Goods by Sea

ICC is currently actively engaged in UNCITRAL's drafting of an international convention to govern the carriage of goods by sea, including a regime to govern liability for cargo loss or damage.

UN Conference on Trade and Development (UNCTAD)

Investment Guides for Least Developed Countries (LDCs)

UNCTAD and ICC have been collaborating in the production of investment guides for selected least developed countries to help them become better known and more attractive to foreign investors. The objective of this project at the most general level is to assist development and poverty reduction in LDCs by helping them attract foreign investment.

Since information concerning investment conditions within a country is essential for this purpose, the guides are produced jointly by the three important stakeholders in the process: national governments, local business communities and foreign investors. They provide a broad overview of current investment opportunities and prevailing socio-economic and political conditions, along with general guidance on the legal and other issues related to undertaking investment in the country in question.

Investment guides have been completed for Uganda, Bangladesh, Ethiopia, Mozambique, Mali, Cambodia, Mauritania and Nepal. In September 2005 the investment guides to Kenya, Tanzania and East Africa will be published.

Investment Advisory Council (IAC)

The Investment Advisory Council for Least Developed Countries -- a joint undertaking of UNCTAD and ICC -- was launched in Brussels by 18 LDC Ministers and a number of business executives at the Third UN Conference on the LDCs in 2001. The Council serves as a framework for high-level consultations between business and governments leaders aimed at providing LDC governments with advice and recommendations intended to help increase the level and quality of foreign direct investment.

Since the Brussels Conference, the IAC has met in Monterrey, Mexico on the occasion of the International Conference on Financing for Development, in Johannesburg, South Africa on the occasion of the World Summit on Sustainable Development to discuss investment in Africa, and in Tokyo, Japan in 2003 when it focused on Asian LDCs. In June 2004 an IAC meeting was held on the occasion of the UNCTAD XI conference to discuss investment opportunities and corporate responsibility for LDCs.

Transport

UNCTAD is working in partnership with ICC in trade facilitation. The two organizations developed the UNCTAD/ICC Rules for Multimodal Transport, the only global standard

for multimodal transport. ICC and UNCTAD are also cooperating on customs modernization, including automation of transit procedures.

International Trade Centre (ITC)

The International Trade Centre (ITC) is a joint subsidiary organ of the WTO and UNCTAD. It is the UN focal point for technical cooperation in trade promotion. ITC consults ICC on the drafting of model contracts for specific fields of international trade.

At ITC's Executive Forum of 6-9 September 2003 – a conference on best practice in national export strategy design and management – held in Cancun, Mexico, on the occasion of the 5th Ministerial Conference of the World Trade Organization, ICC Executive Board member, Guillermo Cadena Acevedo, participated as a panellist in a session on “Development options: FDI and in-country business alliances”.

UN Development Programme (UNDP)

Creation of a vibrant private sector, vital to bringing economic growth and social development to the world's poorer countries, has continued to be a common goal of ICC and UNDP. Helping chambers of commerce in developing and transition countries become effective institutions that can contribute to this process has been an important element of the program of ICC's specialized division for chamber affairs, the World Chambers Federation. WCF worked closely with UNDP to enable chambers in such countries attend the 1st World Chambers Congress in Marseille (1999) that was designed, *inter alia*, to help chambers improve their capacity to service the local private sector, for example, by acting as effective interlocutors for the local business community vis-à-vis national governments. WCF and UNDP have also worked closely on a range of chamber executive training programmes.

UNDP's recognition that participation of these chambers in the Marseille Congress was important for their development led to subsequent financial assistance by the Asian Development Bank and the Canadian International Development Agency that made possible attendance of such chambers at the 2nd and 3rd World Chambers Congress in Seoul and Quebec in 2001 and 2003. WCF and UNDP recently worked closely in supporting chambers from least developed nations to attend the the 4th World Chambers Congress, which was held in Durban, South Africa in June 2005.

ICC has joined with UNDP and the International Business Leaders Forum (IBLF) to establish the World Business Awards in Support of the Millennium Development Goals. The awards recognize significant contributions of business enterprises, working through a partnership approach with other stakeholders, to achieving one or more of the UN Millennium Development Goals. Building on the success of the 2004 Awards for which

nominations from 27 countries were submitted, the 2006 World Business Awards in support of the MDGs hope to continue demonstrating the spirit of the Awards by highlighting the business community's role in the pursuit of innovative and productive approaches to sustainable development, targeted at the development goals agreed to by governments in the UN Millennium Declaration. The World Business Awards presentation ceremony will take place in June 2006.

UN Environment Programme (UNEP)

ICC has a long history of constructive cooperation with UNEP, dating back to the ground-breaking World Industry Conference on Environmental Management, held at the Palais des Congres, Versailles in 1984. This led to practical business tools, such as the ICC-UNEP training kit for environmental managers, published in association with the International Federation of Consulting Engineers (FIDIC), which has been translated into over a dozen languages.

In 1991, ICC launched the Business Charter for Sustainable Development, a set of principles for environmental management which have helped thousands of companies worldwide establish an excellent foundation on which to build their own integrated environmental management systems.

At ICC's 33rd World Congress in Budapest in 2000, ICC and UNEP presented 12 companies with the first business awards for environmental achievement, which recognized leading companies that demonstrated integrated resource management and technological innovation in their environmental management programmes.

ICC and UNEP continue to cooperate closely on various initiatives including the very successful "African Business for Sustainable Development" session held on 24 February 2005 in Nairobi during the Global Ministerial Environment Forum and the 23rd UNEP Governing Council meetings. This was the first time UNEP held a business function of this kind in conjunction with the Governing Council and given its resounding success ICC hopes to repeat the exercise on a regular basis.

UN World Aids Campaign

ICC's World Chambers Federation is an official partner of the World Aids Campaign. One of the campaign's efforts has been to bring the fight against the epidemic to the workplace through a wide range of companies. WCF encourages its chamber members to help by disseminating the campaign's message to local business communities. For this purpose, WCF members regularly receive materials concerning the campaign. UNAIDS has extended an open invitation for chambers to work closely with UNAIDS country offices on any initiatives they may undertake in this regard.

United Nations Office on Drugs and Crime

ICC, through its Commission on Anti-Corruption, played an active role in the consultation process leading up to the signing of the UN Convention against Corruption, providing business input into the negotiations and highlighting key areas of priority for international business. Today, ICC continues to work with the UNODC to encourage the ratification and implementation of the Convention by all signatory countries.

Office of the United Nations High Commissioner for Human Rights and Commission on Human Rights

ICC has followed closely the work of the United Nations Commission on Human Rights on the issue of human rights and transnational corporations and other business enterprises. Together with the International Organisation of Employers (IOE), ICC provided views to governments represented on the Commission as input into its deliberations on this subject. ICC also took part in the consultation organized by the Office of the High Commissioner for Human Rights towards the preparation of the High Commissioner's report on the responsibilities of transnational corporations and related business enterprises with regard to human rights submitted to the Commission at its 61st session in March-April 2005. ICC followed the deliberations of the Commission on this matter at the 61st session and the adoption of a resolution by the Commission and most recently by ECOSOC, requesting the UN Secretary General to appoint a Special Representative to carry out a work programme on the issue of human rights and transnational corporations and other business enterprises. ICC welcomed the appointment by the UN Secretary General of John Ruggie as Special Representative on this issue and looks forward to cooperating with him as he carries out his mandate.

UN Specialized Agencies

Food and Agriculture Organization

ICC participates in FAO's Codex Alimentarius Programme, to establish standards in the food sector. ICC provides business expertise for the programme's work on the issue of genetically modified organisms in the food chain.

International Civil Aviation Organization (ICAO)

The International Civil Aviation Organization (ICAO) is responsible for formulating UN policy on the transport of passengers and goods by air. ICC advises the ICAO on carrier liability and provides business input to work on revision of the 1929 Warsaw Convention.

International Maritime Organization (IMO)

Transport

As the only worldwide organization representing both suppliers and users of maritime transport services, ICC is the International Maritime Organization's main partner on maritime aspects of international commerce. These range from the UN Hazardous and Noxious Substances Convention (1996) to port conditions for shipping.

Fighting piracy

ICC's International Maritime Bureau, the London-based unit that fights crime at sea, and the IMO cooperate in the suppression of piracy on the high seas and protect seafarers. The IMB offices in London and Kuala Lumpur investigate piratical attacks and cooperate with law enforcement agencies to bring the perpetrators to justice.

International Telecommunications Union (ITU)

ICC is the main institutional technical advisor of the International Telecommunications Union (ITU). ICC negotiated important changes in telephone and telex rates with the ITU. It was instrumental in the promulgation within ITU of the earliest telecom standards when the industry was still organized around national public monopolies.

World Health Organization (WHO)

ICC's Commission on Marketing and Advertising will be developing over the course of 2004 a world business response, in particular to the challenges posed to the advertising and marketing sector by the increasing concern of obesity and WHO's global strategy on diet, physical activity and health. In so doing, ICC will build on its commitment to the development and promotion of high standards of business ethics and to demonstrate how effective self-regulation works in ensuring the advertising and marketing sector behaves responsibly in the matter of food and beverage marketing.

World Intellectual Property Organization (WIPO)

ICC has worked closely with the UN's World Intellectual Property Organisation (WIPO) since its inception, and has regular meetings with WIPO representatives.

ICC feeds the business perspective into WIPO's norm-setting work on patents, trademarks, copyright and other intellectual property rights. It is currently taking an active part in discussions on WIPO's future role in supporting developmental policies, on the protection of traditional knowledge and on access and benefit sharing in relation to genetic resources.

United Nations Treaties

ICC frequently participates in meetings concerned with various UN conventions in the field of sustainable development, including:

- The UN Framework Convention on Climate Change and its Kyoto protocol
- The Convention on Biological Diversity
- The Cartagena Protocol on Bio-Safety
- The Stockholm Convention on Persistent Organic Pollutants
- The Rotterdam Convention on Prior Informed Consent Procedures for Certain Hazardous Chemicals and Pesticides in International Trade.