

**10th Session of the open-ended intergovernmental working group on
transnational corporations and other business enterprises with respect to human rights**

**General Statement
16 December 2024**

Joint oral statement by ISHR, FORUM-ASIA, ESCR-Net, and Franciscans International

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Thank you Mr. President,

This statement is made on behalf of the International Service for Human Rights, Asian Forum for Human Rights and Development (FORUM-ASIA), ESCR-Net and Franciscans International.

We reiterate our commitment to continue engaging with the negotiations and welcome the efforts that have been taken this year to advance the process. We welcome the decision taken during the HRC56 to increase the budget. However, we regret the unilateral decision to postpone this session from October. This has put a lot of pressure and economic burden on civil society, human rights defenders and communities to engage in the process and to meaningfully participate in the negotiations on such short notice. We also regret that civil society cannot make video statement in this general segment, this discriminatory treatment is also setting a bad precedent based on the existing good practices that the HRC has developed.

After ten years of negotiations, we believe more than ever that binding rules and better regulations of business is essential. This is particularly urgent in the context of the triple planetary crisis and situations of conflict where we see that corporate impunity is the norm. We also see an increase in criminalization, harassment and intimidation of human right defenders, particularly those fighting against corporate interests and protecting the environment. In 2023, the Business & Human Rights Resource Centre recorded 630 instances of attacks against people raising concerns about business-related harms. These attacks have taken different forms, including the misuse of criminal, administrative, civil and tax laws; and an increased use of strategic lawsuits against public participation, also known as SLAPPs, initiated mostly by corporations which has a chilling effect on freedom of expression.

While we understand the need to move forward with the process and find consensual language, we fear that this is leading to watering down the text and removing wording that would make the LBI stronger. We regret that the preamble no longer makes reference to the UN Declaration on Human Right Defenders and we hope that references to human right defenders can be included in article 1 (definition of victim) and article 7 (access to remedy).

Finally, we hope that moving forward, a more inclusive, timely, consultative and transparent approach is taken by the Chairmanship that would help to prevent corporate influence. We also hope that there is clarity of the role of the Legal Experts and their mandate. Lastly, we hope that due consideration and care will be given to ensure that civil society, human rights defenders and communities can fully participate in the Inter-sessional meetings and in any consultations or other related steps related to the LBI and the next IGWG session.