



Franciscans International
A voice at the United Nations

Oral statement

Fourth session of the Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights (OEIGWG)

General statements - OEIGWG

Monday, 15 October 2018

Thank you mister Chairperson-Rapporteur,

FI wishes to congratulate you on your confirmation as the chairperson-rapporteur, and more importantly for the zero drafts that you produced.

While we undoubtedly have some questions and proposals for improvements concerning specific aspects and provisions of the zero drafts, FI welcomes in general these drafts presented to serve as the basis for negotiations at the 4th session of the OEIGWG. FI considers that negotiating on the basis of these drafts will represent an important step forward towards the accomplishment of the mandate of Human Rights Council Resolution 26/9. Indeed, as FI had the opportunity to already express, past negotiations experience show that it is when States start to deal with issues in concrete rather than in abstract that solutions can be found, and issues demystify.

As a member of the "Treaty Alliance", and of "ESCR-Net", FI has been one of the human rights NGOs supporting the process towards such a future instrument since its inception in 2014. The main reason for FI to promote such a process is the need to improve accountability for and protection against human rights violations occurring in the context of business activities.

In that perspective, we are encouraged by the way the zero draft is placing the rights of the victims and improved access to justice at its core. Indeed, the adjudication of cases of alleged human rights violations in the context of business activities, especially transnational, is one of the most fundamen-

tal issues that a future legally binding instrument shall address. However, keeping in mind the wording of the mandate in resolution 26/9 that is to regulate in international human rights law the activities of transnational corporations and other business enterprises, we think that a reworked draft could be overall strengthened to reflect the prescriptive/regulatory aspects of the jurisdiction that States should exercise on these transnational issues, that could include areas such as corporate taxation. FI considers this as being a key element of effective prevention. Last but not least, FI endorses the demands for improvements made by the feminist group for the treaty.

With this in mind, we will make contributions on the specific elements during the week. But in general, we want to ensure you, Mister Chairperson-Rapporteur of our support and of our active and constructive engagement in the process.

I thank you.