



Franciscans International
A voice at the United Nations

**Intersessional consultation of the open-ended intergovernmental working group
on transnational corporations**

12 April 2024

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Thank you Chairperson,

Franciscans International and ESCR-Net welcome the convening of this consultation as well as the roadmap document.

We start with calling attention to the ongoing atrocity crimes in Gaza, Palestine and to other countries - particularly in the Global South - where corporations ranging from weapons manufacturers, tech companies or companies working in extractives reap massive profits from the dispossession and subjugation of peoples, including indigenous communities. The current realities on the ground highlight the urgent need for this legally binding instrument (LBI).

With regards to the selection of experts to help advance the LBI, we would like to emphasize that accountable and transparent procedures and screening mechanisms must be in place to avoid the selection of experts that may have a conflict of interest, including individuals that have or maintain close relationships - such as via employment, consultancies, or board positions, with corporations.

The purpose of this process is to ensure that the impunity long enjoyed by corporate actors is not only stopped, but that human rights violations and further environmental degradation are prevented. To this end, there are no better experts to guide us in seeking accountability for violations or abuses of human rights caused by business, other than those affected by business activities and operations, and those who work to hold business actors accountable.

We therefore call on you, chairperson, to ensure that the group of experts selected is not only aware of the demands of the affected people and communities, but indeed that the experts come from and work with communities at risk. We ask you to ensure the selection of experts that support and explicitly promote the primacy of human rights over business interests. We also support the Feminists call for the inclusion of Feminists from the Global South in the group of interests. We also ask that you limit the selection process to experts who are in line with resolution 26/9.

While noting the liquidity crisis faced by the UN, we call on you to ensure the active and full participation of civil society organizations in all stages of the road map of this process. We remain deeply concerned over the participation of business actors in the LBI process, and more generally over the issue of corporate capture in UN spaces. The cooperation of such actors with States that have consistently sought to obstruct and derail the process continues to be of concern. We need urgent action to protect people and the planet- there is no time for 'business as usual' including undue influence over processes.

Thank you.