

Closing Statement

Open-Ended Intergovernmental Working Group on Transnational Corporations and Other Business Enterprises with Respect to Human Rights

Fifth session (14-18 October 2019)

Delivered by Franciscans International, Sandra Epal-Ratjen

Mr Chairperson-Rapporteur

This is a joint statement on behalf of FI, ICJ, FIDH, Amnesty, CIDSE, CAFOD, Clean Cloths Campaign, WILPF, SOMO, CELS and GPF.

At the closing of this fifth session of the IGWG on a LBI on TNCs and OBEs, our organizations would like to congratulate the Chairmanship and the many delegations who actively engaged, for the quality of the discussion that took place this week. We restate our support and engagement in the process towards a LBI.

We reaffirm our views that the revised draft provides a solid basis for further discussions and negotiations. It provides clarity about a broader scope in terms of all business enterprises, and keeps a focus on accountability for business abuses of human rights and the right to an effective remedy and reparation for the affected persons, whilst recognising the fundamental challenges created by today's transnational business activities and corporate structures.

This session has shown that, while there is still work to do to clarify and improve parts of the text, concrete proposals and solutions have been presented, many of which draw from existing precedent, principles and instruments of international law, which will support progress towards an effective and widely acceptable LBI.

We are however concerned by the inadequate time dedicated to negotiations and the reluctance of some delegations to actively engage in the discussions using diverse excuses. Some of these delegations are already discussing these issues domestically in the context of internal debates and processes on human rights due diligence. It is crucial to keep a steady pace of negotiations to achieve the mandate of this IGWG.

To that end, we call on this assembly to carry on with negotiations on an intersessional basis until the next formal IGWG session in October 2020. These discussions or consultations may be focused on specific articles or issues with a view to enable better understanding and agreement among States, ensuring effective participation of civil society and taking into account their contributions as well as those of experts.

Thank you