

Global Inter-parliamentary Network supporting the establishment of a Binding Treaty on Transnational Corporations with respect to Human Rights

Brussels, 11 October 2018

Manifesto on the need for a UN Treaty to protect human rights against corporate abuses

October 2017 marked an important milestone in the process towards the end of corporate impunity: a Global Inter-parliamentary Network was launched by parliamentarians across parties and nations to support the elaboration of a UN “legally binding instrument on transnational corporations (TNCs) and other business enterprises with respect to human rights”.

One year later, parliamentarians from all over the world gather in the European Parliament in Brussels in order to raise their voices in support of the 4th annual session of the UN Open Ended Inter-governmental Working Group (OEIGWG) that has been given the mandate to develop this binding treaty. The UN Human Rights Council set the elaboration of a binding treaty as a goal in June 2014, and it will form the first set of obligatory and enforceable guidelines to hold transnational corporations and other business enterprises accountable for human rights violations and environmental crimes and to ensure the victims’ right to justice and compensation.

The signatories below:

1. Recall that in order to close the current loopholes that allow companies to get away with human rights violations and leave many victims without access to justice and remedy, we urgently need to move beyond the current voluntary framework of social corporate responsibility and to approve an international legally binding treaty; call, therefore, on the OEIGWG to continue negotiations on the new treaty and we call on all UN Member States and regional organisations to engage and contribute constructively to this process;
2. Endorse the recently approved European Parliament (EP) resolution on the EU’s input to a UN Binding Instrument on transnational corporations and other business enterprises with transnational characteristics with respect to human rights; recalls that 7 other previous Resolutions of the European Parliament as well as 2 from the Euro-Lat Inter-parliamentary Assembly , included a call to support the UN process for a Binding Treaty;
3. Highlight the need for this Binding Treaty to balance the unfair consequences of unregulated globalisation, which has generated asymmetries of power between communities, individuals on the one hand and corporations on the other in terms of access to justice with regards to the protection of human rights and the environment, especially in the poorest regions of the world;
4. Welcome the open and participatory process that is being developed by the OEIGWG, which shall take into account all the constructive negotiations that have taken place throughout the last three sessions of the OEIGWG;
5. Stress that the future Treaty must integrate the gender perspective, as women are often the main victims of human rights’ abuses;
6. Note that the future treaty should highlight the primacy of human rights obligations over other types of conflicting obligations and that should recognise the direct obligations of enterprises to respect human rights; note, furthermore, that the binding treaty should emphasize that enterprises have corporate criminal, civil and administrative liability and the treaty shall include a control mechanism

with the capability to effectively monitor compliance; stress the need to include State-owned enterprises within the scope of the future treaty;

7. Urge all countries and regional organisations, to proactively engage in this UN process and to work towards an effective and legally binding international instrument on TNCs and other business enterprises with respect to human rights, in order to ensure that people's dignity, as enshrined by universal civil, political, economic, social and cultural rights, is prioritised and guaranteed worldwide.

MP Lilian Galán, Parliament of Uruguay;

MP Heike Hänsel, Germany, Bundestag, Deputy Head of Die Linke;

MP Ana Belén Terrón, Spain, Congreso de los Diputados, Vice-President
of Development Cooperation Committee

MP Clara Tirado Museros, Spain, Comunitat Valenciana, Les Corts
Valencianes, Spokesperson of the Committee on Development

MEP Jude Kirton Darling, S&D - UK

MEP Judith Sargentini, Greens/EFA - The Netherlands

MEP Helmut Scholz, GUE/NGL - Germany

MEP Max Andersson, Greens/EFA - Sweden

MEP Anne Marie Mineur, GUE/NGL - The Netherlands

MEP Inmaculada Rodríguez-Piñero, S&D - Spain

MEP Molly Scott Cato, Greens/EFA - UK

MEP Lola Sanchez, GUE/NGL - Spain

MEP Heidi Hautala, Greens/EFA Finland