

*CIDSE Oral Statement*

*1st session of the IGWG on TNCs and other business enterprises*

*with respect to human rights*

*Panel III: Scope / Human rights, 7 July 2015*

Thank you Chair. I am speaking on behalf of CIDSE, who together with the organizations Friends of the Earth Europe, Brot für die Welt, SOMO, IBFAN and IBFAN-GIFA and Global Policy Forum, made a joint submission to this intergovernmental working group. We are also members of the Treaty Alliance, and are among the nearly 400 organizations from around the world who have signed the Treaty Alliance joint statement.

When it comes to which rights should be covered by the Treaty, several options have been raised, ranging from focusing on gross human rights to a more inclusive approach. If the scope of the proposed international instrument were to be confined to gross human rights violations, it would mostly serve a symbolic purpose, for its ambit would exclude most of the human rights abuses committed by companies in practice. The displacement of indigenous people for mining, emission of (and/or exposure to) hazardous chemicals, compulsory pre-employment pregnancy testing of women and illegitimate land grabs by companies represent fundamental and serious abuses.

We therefore propose that all human rights should be incorporated into a binding Treaty. This should include the rights contained in the core human rights instruments as well as the core ILO conventions related to labor rights and the rights of indigenous people.

Our organizations propose that it should be made clear from the start that when the Treaty refers to human rights, this includes the negative impacts of environmental damages on people. A significant proportion of human rights violations alleged to be caused by the activities of transnational corporations have their source in the environmental damage caused by such activities:

nearly one third of the 320 cases of alleged corporate-related human rights abuses reviewed by the Special Representative of the UN Secretary-General on the issues of human rights and transnational corporations and other business enterprises alleged environmental harm to the communities affected.

Environmental damage affects rights such as the right to health, the right to life, the right to food, the right to water, the right to housing (where displacement results from environmental damage, in the form of severe pollution or other disasters), and other human rights including the right to self-determination.

Madam Chair, A wide number of communities and individuals are still suffering abuses and violations of a range of human rights now as a result of business activity, including labor rights and rights to land, livelihood, health, a clean environment, and peaceful protest. This has been evident in several cases during today's side event on the impact of transnational corporations and other businesses on social movements, co-organized by several of our organizations.

By some measures, the situation has even worsened in the last years, as for cases of social conflict, criminalization of protest related to business investments and killings of human rights defenders. Concrete action is urgently needed to protect women and men seeking to defend their rights and the environment in the face of harmful corporate practice, and to address the denial of access to justice to communities in numerous countries. Thank you.