

**Statement of the Transnational Institute (TNI)/ Institute of Policy Studies  
On the occasion of the Third Session of the OEIGWG mandated to develop “an international  
legally binding instrument for TNCs and other business enterprises with respect to human  
rights” 26/9 June 2014**

### **On Part 8. International Co-operation (Elements document)**

I am Nonoi Hacbang and I speak on behalf of the Transnational Institute/Institute of Policy Studies, the Platform of Filipino Migrant Organisations in Europe, and the Transnational Migrant Platform Europe – a network that is a convergence of many migrant communities from all global regions but especially from Africa, Asia and Latin America. I also speak for the Global Campaign to Reclaim Peoples Sovereignty, Dismantle Corporate Power, and Stop Impunity.

Your Excellency Chairperson, Ambassador Long of Ecuador, we extend our congratulations to you as the Chair of the OEIGWG 3, and we welcome the Elements document which you and your team have prepared for consideration of this 3rd Session of the Working Group.

This Part of the Elements document on International Cooperation is particularly important for us who as migrant workers find ourselves in several jurisdictions in the course of our work - as seafarers on the Global Shipping Corporations delivering the goods being transported across the world or as Construction workers who are forced to work and live in often intolerable conditions of danger to our lives and well-being.

This part of the Treaty must create new mechanisms and levels of cooperation across States and legal jurisdictions as well develop provisions to address the impunity of Corporations in the global supply chain, including in particular the migrant sectors I have mentioned.

This new regime of cooperation across states in relation to ensuring access to justice for affected workers would be of great benefit to the big constituencies of our migrant sector. These workers who in their hundreds of thousands work as seafarers in the world's biggest Shipping Corporations or in the global Building Corporations – work in conditions of grave violations of their labour and human rights. These violations are well documented by the self-organisations of the seafarers and contract workers themselves as well as by the International Transport Federation (ITF) and the Building and Woodworkers Union International (BWI).

We welcome the commitment indicated in this Elements document to move from the current fragmented international legal system to an instrument where we as migrant workers can have confidence in an effective access to justice and protection of our human rights.

We acknowledge the work of this Elements paper as a very good starting point for the construction of a future Binding Treaty on TNCs and other business enterprises

and we urge the Chairmanship of Ecuador to advance this work and prepare the text of Treaty for negotiation at the 4th Session of the Working Group in 2018.

We would urge that the Treaty text will acknowledge explicitly the need to address the reality of Corporate violations of the migrant workers sector and bring new mechanisms to strengthen the protections of their rights in this section of proposals for international cooperation.

We believe this Binding Treaty instrument will contribute to putting in place a very much needed legally binding regime in relation to TNCs and human rights and end the asymmetry of power which leads to intolerable violations of human and labour rights.

These proposals are respectfully submitted for your consideration in the task of building the Binding Treaty to guarantee the implementation and fulfillment of human rights and migrant rights in relation to the operations of Transnational Corporations.

Thank You.

Nonoi Hachang

Transnational Migrant Platform Europe