

Permanent Mission of Ecuador to the United Nations and other International Organizations in Geneva, on behalf of the Chairmanship of the OEIGWG, Res. 26/9

Zero Draft. “Legally binding instrument to regulate, in international Human Rights Law, the activities of transnational corporations and other business enterprises”

Non-exhaustive list of documents consulted during the preparations

**While we tried to categorize the reference documents that have been consulted according to the sections and elements of the proposed treaty text, some of the references have been used multiple times under several sections and elements*

Preamble:

1. UN Charter, Universal Declaration of Human Rights, the International Human Rights Covenants
2. Vienna Declaration and Programme of Action of the World Conference on Human Rights
3. Resolution A/HRC/RES/26/9 on Elaboration of international legally binding instrument on transnational corporations and other business enterprises with respect to human rights
4. Guiding Principles on Business and Human Rights
5. ILO Declaration of Fundamental Principles and Rights at Work

Definitions:

6. Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law
7. 1985 Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power
8. The Set of Multilaterally Agreed Equitable Principles and Rules for the control of Restrictive Business Practices (1980)
9. Report IV, Decent work in global supply chains, International Labour Conference, 105th Session, 2016 Resolution concerning decent work in global supply chains, International Labour Conference, 105th Session, 10 June 2016.

Jurisdiction:

10. Regulation (EU) No 1215/2012 of the European Parliament and the council on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (12 December 2012)
11. General Comment 16 of the Committee on the Rights of the Child
12. General Comment 24 of the Committee on Economic Social and Cultural Rights

Rights of Victims:

13. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (entry into force 1987)

14. Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure, A/HRC/RES/17/18 (14 July 2011)
15. Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
16. Draft principles on the allocation of loss in the case of transboundary harm arising out of hazardous activities (2006)
17. Resolution A/RES/60/147: Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law
18. Convention on Civil Liability for Damage Caused during Carriage of Dangerous Good by Roads, Rail and Inland Navigation Vessels (1989)
19. OECD Convention on Combating Bribery of Foreign Public Officials in International Transactions

Prevention:

20. Regional agreement on access to information, participation and justice in environmental matters in Latin America and the Caribbean
21. UNECE, Convention on the Transboundary Effects of Industrial Accidents
22. Directive 2014/95/EU of the European Parliament and the Council regards disclosure of non-financial and diversity information by certain large undertakings and groups (22 October 2014)
23. French Loi relative au devoir de vigilance 2017
24. Swiss popular initiative on Responsible Business

International Cooperation:

25. United Nations Convention against Corruption (2004)
26. United Nations Convention against Transnational Organized Crime
27. Convention on Civil Liability for Oil Pollution Damage (1969)
28. Convention on the Protection and Use of Transboundary Watercourses and International Lakes (1992)
29. Protocol to amend the International Convention on Civil Liability for Oil Pollution Damage (1992)
30. European Convention on Mutual Assistance in Criminal Matters Strasbourg (1959)
31. Convention on the Recognition and Enforcement of Foreign Judgment in Civil and Commercial Matters (Concluded 1 February 1971)
32. Convention on Choice of Court Agreements (Concluded 30 June 2005)
33. Inter-American Convention on Extraterritorial Validity of Foreign Judgments and Arbitral Awards
34. Preliminary draft text of the Working Group on the Judgements Project Emanating From its Fourth Meeting- Hague Conference on Private International Law
35. Draft articles on Prevention of Transboundary Harm from Hazardous Activities (2001)
36. Draft principles on the allocation of loss in the case of transboundary harm arising out of hazardous activities, 2006
37. International Law Association- Resolution No. 6/2006 on Transnational Enforcement of Environmental Law
38. Protocol on Civil Liability and Compensation for Damage caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters to the 1992 Convention on the

Protection and Use of Transboundary Watercourses and International Lakes and the
1992 Convention on the Transboundary Effects of Industrial Accidents

Institutional Arrangements:

39. Convention on the Elimination of All Forms of Discrimination Against Women (1979)
40. Convention on the Rights of the Child (1989)
41. Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, A/RES/63/117, 5 March 2009
42. Optional Protocol to the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment, A/RES/57/199 (9 January 2003)
43. Convention on the Rights of Persons with Disabilities: resolution A/RES/61/106 adopted by the General Assembly (24 January 2007)