**Open-ended Inter-Governmental Working Group on transnational corporations**

**and other business enterprises with respect to human rights**

**Oral Statement**

Dear chairperson, I am speaking on behalf of Brot für die Welt, Friends of the Earth Germany, Global Policy Forum, MISEREOR and Südwind Institut. These organisations are all members of the Treaty Alliance Germany, which consists of more than 20 civil society organisations. The Treaty Alliance Germany welcomes the Zero Draft as a constructive basis for further negotiations.

We would like to react to the arguments put forward by the European Union this morning that the Zero Draft does not align with the UN Guiding Principles.

The Zero Draft builds on international developments in the field of business and human rights in recent years and takes up the basic principles of the UN Guiding Principles on Business and Human Rights, such as human rights due diligence and access to remedy for affected parties. In the points where the Zero Draft goes beyond the UN Guiding Principles, it is filling the gaps in protection of affected people. None of the National Action Plans so far have improved access to justice for people affected by corporate human rights abuses in home States of transnational corporations. With regard to the proposed obligations of states, the Zero Draft contains numerous proposals, which can also be found in the General Comment No. 24 by the UN Committee on Economic, Social and Cultural Rights. The draft is also aligned with national developments on human rights due diligence in France and Switzerland. Furthermore, the Zero Draft has already taken up many of the concerns of the EU.

Against this background, the EU and the German Federal Government should from now on participate actively and constructively in the negotiations on the content of the agreement instead of questioning the process at a formal level. We cannot accept that after three working sessions and three months after the publication of the Zero Draft, the EU are still not willing to enter discussions on the content of the treaty.

This is not in line with the EU’s self-conception that human rights are core values that the EU promotes around the world. It is also not in line with Germany’s foreign policy, which regards human rights as the basic tenet. Furthermore, the German foreign minister has recently called for an “Alliance on Multilateralism” defending existing rules in times of upheaval and calling on the United Nations and human rights to be at the center of the international order. It is now time to stand up to these principles.