

8th session of the open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights

General Statement

Thank you Mr. Chair,

Once again, the State of Palestine reaffirms its strong support to the UN process towards a legally binding instrument on TNCs and other business enterprises and human rights. Our position in the 8th session we emphasize that the negotiations for a legally binding instrument must be based on the 3rd revised draft. Last year's session states and civil society organizations actively participated and demanded stronger provisions to end corporate impunity and hold them accountable for serious violations and abuses. Now more than ever it is crucial to adopt the legally binding instrument in an effort to stop corporate action and to create affective mechanisms to remedy and compensate affected communities including communities in contexts of conflict and occupation.

Mr. Chair,

When resolution 26/9 was adopted in 2014 the core group, who had the support of more than 500 civil society organizations and affected communities, said that the human rights council owes the victims of transnational corporations and other business enterprises, the victims who for decades have been denied their rights, victims who have been living in injustice due to violations and abuses committed by transnational corporations. The core group promised that it doesn't matter how much time this will take they will make every effort to ensure corporate accountability. When this process started it gave hope to the victims and affected communities that this system is going to stand by them, is going to ensure that justice is served. However, the proposals presented on October 6 threaten to undermine the progress achieved through the years and reflected in the 3rd revised legally binding instrument, the proposals in front of show total disrespect and disregard to the effort made by states, civil society and affected communities. The language therein undermines all the work that has been made in the past 8 years, it is an offense to those who are suffering and would be normalizing and enabling corporations to continue to violate international law and it further emboldens colonial legacies. The language therein Mr. chair is the reason why we needed to have a legally binding instrument, therefore we would like to have more clarifications on this proposal and on what basis this was drafted. Moreover, we stress that the lack of transparency and lack of space for engagement and deliberations during the last inter-sessional period, should not become a norm for years to come.

Mr. chair,

We have been participating actively in this process with the aim to stop corporate abuse and violations, in this regard we totally reject counter agendas in negotiations that prioritize political and economical interests over the rights of people. For those reasons, we were clear during the last session that we reject alternative approaches that would weaken the core elements of the treaty. We do not accept the right of corporations to participate in the treaty process as they have a conflict of interest when it comes to regulating and remediating their own human rights impacts.

We stress that the third revised draft shall remain the only basis for negotiations and it has been widely accepted as a viable basis for the negotiations that reflects the lessons learned from victims' experiences and challenges they face to access remedy and justice.

Mr. Chair,

We live in a world where the international system is continuously under attack and it feels that we are stuck in a hamster wheel, trying to convince ourselves that the existing tools can still work, it is time to break free from the trappings of the hamster wheel that continuously try to bring us back to square one after we gain momentum to move forward.

I thank you