



SAVE THE DATE

Remedies for Cross-Border Human Rights Violations: A Status Report on the Binding Treaty on TNCs and other Business Enterprises

Panel Discussion

April 25, 2018, 1-3pm,

Consulate General of Ecuador, 800 2nd Ave, 2nd Floor, New York

The event is jointly organized by Corporate Accountability, ESCR-Net, FIAN International, Franciscans International, Global Campaign to Reclaim Peoples Sovereignty, Dismantle Corporate Power and Stop Impunity, Global Policy Forum, Rosa Luxemburg Stiftung-New York Office, and Transnational Institute.

It is co-sponsored by the Permanent Mission of Ecuador to the United Nations New York.

To implement the 2030 Agenda and its Sustainable Development Goals (SDGs), many in the international community have addressed the financing gap, proclaiming the need to go from “billions to trillions” of dollars. This has pushed a turn towards the private sector and the promotion of ‘blended financing’ as a major way to ‘leverage’ corporate funds to meet any additional investments needed. In many cases there is no lack of additional investments, but more quality investments would appear to figure less frequently. The transformation of our world as proclaimed in the title of the 2030 Agenda requires fundamental changes in the way our societies produce and consume goods and services. Primarily both the state and the private sector have a particular role to play in this regard. However, far too often there is a considerable gap between the social and environmental commitments companies make and the actual effects of their activities on people and the environment. At the international level, instruments to hold corporations accountable for human rights abuses and the violation of social and environmental standards are weak.

Victims of human rights violations by corporations often face insurmountable barriers to access justice. A regulation gap exists especially with regard to corporations operating transnationally. In many cases victims are not able to hold these corporations accountable for their actions, neither in the country of jurisdiction, the home country, nor in the host country of the business enterprise. In contrast, new trade and investment agreements are able to ensure transnational corporations (TNCs) more far-reaching investor rights. They can use private tribunals to sue governments if they deem their profits or investment potentials are affected by new laws – including higher health and environmental standards. In reality there is a perceptible regulatory imbalance.

Against this background, the UN Human Rights Council’s resolution of 26 June 2014 establishing an open-ended intergovernmental working group (OEIGWG) to elaborate an international legally binding instrument to regulate within the scope of international human rights law and the activities of transnational corporations and other business enterprises deserve to be called

historic. For the first time since the dissolution of the UN Commission on Transnational Corporations in 1992, an intergovernmental body of the UN was established to address the international regulation of corporations. Since 2014, the working group has convened three times with a growing number of participating states and civil society representatives discussing the scope and content of the prospective treaty.

The panelists will discuss how a binding treaty could overcome obstacles for remedy in cases of cross-border human rights violations by TNCs. It will further inform about the state of the treaty process and next steps to be taken.

Inputs by

- Luis Espinosa, Ministry of Foreign Affairs and Human Mobility Ecuador
- Ana Maria Suárez Franco, FIAN International
- Harris Gleckman, former Chief of the New York Office of UN Conference on Trade and Development
- Nathalie Rengifo, Global Campaign to Reclaim Peoples Sovereignty, Dismantle Corporate Power and Stop Impunity

Facilitator: Barbara Adams, Global Policy Forum

We kindly ask you to RSVP by April 24, 2018 to karolinseitz@globalpolicy.org