



10TH SESSION OF THE OPEN-ENDED INTERGOVERNMENTAL WORKING GROUP ON TRANSNATIONAL CORPORATIONS AND OTHER BUSINESS ENTERPRISES WITH RESPECT TO HUMAN RIGHTS

Conclusions of CIDSE and its Member Organisations January 2025

The 10th session of the Open-Ended Intergovernmental Working Group on Transnational Corporations and Other Business Enterprises with Respect to Human Rights (OEIGWG) was held from 16 to 20 December 2024, featuring significant participation from States, international organisations, non-governmental organisations (NGOs), and business alliances. Notwithstanding the change of dates, attendance exceeded expectations.

The CIDSE delegation, which comprised CCFD-Terre Solidaire, Misereor, Trócaire, Fastenaktion, and collaborating partners from Latin America and Africa, [participated in the week of negotiations in Geneva](#). The delegation presented an opening statement, as well as statements on Articles 6 (prevention) and 8 (legal liability).

CIDSE and its members welcome the calm, methodical and largely transparent approach of the newly appointed Chair, Ambassador Marcelo Vázquez Bermúdez, in line with the programme of work and methodology proposed by the previous Chair. Unlike the 9th session, the pace of the reading of articles was faster and the discussion reached Article 11. Nevertheless, it was not possible to achieve the objective set in the programme of work to cover the readings up to Article 24.

The 2023 [Updated draft text](#) was the basis for the State-led negotiations and will be the basis for the 11th session, with the input provided by States during the 9th and 10th sessions.

"A significant change for this session was the participation of the new Group of Legal Experts established on 2024, who responded to specific questions on international law. Despite initial misgivings, most participants welcomed the addition of the experts – with the exception of the US, UK and business representatives, who appeared unhappy with their views on issues such as the broad recognition of the Right to a Clean and Healthy Environment."
Chris O'Connell, Policy Lead, Trócaire

On the other hand, the EU was notably absent from the negotiations, regardless of its attendance. This was despite the entry into force of the Corporate Sustainability Due Diligence Directive in July 2024, which they quoted in their opening statement at the 9th session as the *"basis for the EU's future involvement in the negotiations."* CIDSE and its members urge the new European Commission and Member States to take action on the mandate for the EU to participate actively and meaningfully in the 11th session.

CIDSE and its members welcome the Chair's recommendations and conclusions from the 10th session, and would like to emphasise the following points:

- On the proposal for updating the draft text with input provided by States during the 9th and 10th sessions in January 2025 and to promote State-led direct substantive intergovernmental negotiations during the 11th session based on the Updated draft: CIDSE welcomes that the Updated draft will be available in January 2025 to allow stakeholders to prepare well in advance to maximise the impact of the 11th session.
- Regarding the role of the Friends of the Chair, with a view to continue strengthening the dialogue among States on this process, CIDSE and its members urge the Friends of the Chair to take an active role among States in order to increase participation and make this a process with legal and political feasibility.
- As for the proposal to present a confirmed 2025 roadmap for the implementation of the Human Rights Council (HRC) decision 56/116, including the holding of intersessional thematic consultations for the purpose of discussing clusters of articles with the assistance of the legal experts, CIDSE and its members have highlighted in their [contribution to the 10th session](#) the pros and cons of such a methodology. We kindly request the Chair to take into account the risks, such as the generalisation of contentious parts of the Updated draft and the risk of watering down or neglecting essential elements.
- Concerning the preparation of the programme of work and presentation of a methodology for the 11th session of the Working Group, to be held from 20 to 24 October 2025, we request the Chair to submit the programme of work and methodology early enough to allow adequate preparation.

Finally, CIDSE and its members would like to reiterate the need for continuous consultation among different stakeholders – particularly with rights holders and victims of corporate abuse – to make this process inclusive and meaningful.